

Carl Willard Tempel.  
Nuel Pazdral.  
George Dewey Newton.  
George Edward Leone.  
Albert Henry Schwichtenberg.  
Ehrling Lloyd Bergquist.  
Wendell Axline Weller.  
Clinton Stone Lyter.  
Walter Lee Peterson.  
Russell Samuel Leone.  
Dwight Moody Kuhns.

Lawrence Abraham Mat-  
ternes.  
Arthur Lyman Streeter.  
John Alexander Isherwood.  
Harold Bradley Luscombe.  
Charles Lewis Baird.  
Thomas Neilson Page.  
Samuel Leonard Cooke.  
Harold Eastman Coder.  
Victor Allen Byrnes.  
William Smith George.

#### POSTMASTERS COLORADO

Robert L. Vinyard, Eureka.  
Otto M. Letson, Grand Valley.

#### CONNECTICUT

Charles W. Birely, New Haven.

#### FLORIDA

Silas E. Yon, Blountstown.

#### HAWAII

Elizabeth H. Travis, Waipahu.

#### KANSAS

James F. Butler, Melvern.  
Irma L. Barham, Prairie View.

#### KENTUCKY

Harvey A. Riley, Benton.  
Arthur T. Beard, Hardinsburg.  
Ella Ferguson, Prestonsburg.

#### MARYLAND

Ulysses F. Carroll, Easton.

#### MISSISSIPPI

Daniel F. Smith, Carriere.  
Frank S. York, Grenada.  
John T. Watkins, Holly Springs.  
Lee D. Fulmer, Lumberton.  
John N. Truitt, Minter City.  
James D. Glisson, Mize.  
Robert H. DeKay, Pontotoc.  
James C. Daly, Purvis.  
Fletcher Thetford, Robinsonville.  
Hubbard E. McClurg, Ruleville.  
Jesse C. Rhodes, Sallis.

#### NEW YORK

Edward B. Stead, Bedford.  
William H. Secord, Hartsdale.  
Herbert Torns, Lindenhurst.  
James H. Underwood, Middlesex.

#### OHIO

William W. Reed, Kent.  
Cade F. Schulenberg, New Bremen.

#### PENNSYLVANIA

Arthur S. Miller, Annville.  
William T. Levis, Beaver Falls.  
William C. Vought, Berwick.  
Benard Peters, Brackenridge.  
Frank E. Tiffany, Kingsley.  
Charles F. Armstrong, Leechburg.  
William F. Hartzell, Mount Holly Springs.  
Edwin W. James, Newville.  
George F. Grill, Pen Mar.  
David R. Hoover, Pleasant Hall.

#### TENNESSEE

Fred R. Smith, Concord.  
Aileen S. Campbell, Decatur.

#### TEXAS

Bert J. McDowell, Del Rio.  
Cloy B. Friday, Tivoli.

## HOUSE OF REPRESENTATIVES

TUESDAY, July 1, 1930

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Eternal Father, to Thee we come and yield ourselves. May we be dedicated anew to the glad service of our country, whose gifts and blessings are coextensive with the being of man.

Bless us with the riches of Thy grace and with the consciousness of clean, manly living. Bid our souls to be at rest. Dismiss even the suggestion of discord, and may we have the sense of proportion. Do Thou receive and then accept us for Thy mercy's sake. Crown us all with those virtues that are as the brightness of the firmament and even as the stars, for ever and ever. Hear us, our Father, and lead us in that pathway of purity and truth and justice that has neither bend nor turn. Through Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1825. An act for the relief of David McD. Shearer;

H. R. 3159. An act for the relief of W. F. Nash; and

H. R. 10630. An act to authorize the President to consolidate and coordinate governmental activities affecting war veterans. The message also announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 12602. An act to authorize an appropriation for construction at Carlisle Barracks, Pa.; and

H. R. 12661. An act to authorize the acquisition of lands in Alameda and Marin Counties, Calif., and the construction of buildings and utilities thereon for military purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 182. An act for the relief of Daisy O. Davis;

S. 3360. An act authorizing the Secretary of War to convey to the University of Oregon certain lands forming a part of the Coos Head River and Harbor Reservation; and

S. J. Res. 193. Joint resolution to change the name of the island of Porto Rico to "Puerto Rico."

The message also announced that the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 215) entitled "An act to amend section 13 of the act of March 4, 1923, entitled 'An act to provide for the classification of civilian positions within the District of Columbia and in the field services,' as amended by the act of May 28, 1928."

The message also announced that the Senate agree to the amendment of the House to the bill (S. 4683) entitled "An act to authorize the sale of all the right, title, interest, and estate of the United States of America in and to certain lands in the State of Michigan."

#### REMODELING OF POST OFFICE BUILDING, WASHINGTON, D. C.

Mr. ELLIOTT. Mr. Speaker, I call up the conference report on the bill H. R. 11144.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 11144) to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the conference report.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the statement be read in lieu of the conference report. Is there objection?

There was no objection.

The statement was read.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11144) to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1, and agree to the same.

RICHARD N. ELLIOTT,  
J. WILL TAYLOR,  
FRITZ G. LANHAM,

Managers on the part of the House.

HENRY W. KEYES,  
SIMEON D. FESS,  
HENRY F. ASHURST,

Managers on the part of the Senate.

## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11144) to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

This bill, as it passed the House of Representatives, authorized an appropriation of \$4,000,000 to erect a building authorized in said bill. The Senate amendment No. 1 reduced this amount to \$3,000,000. The Senate recedes from this amendment, which leaves the amount in the bill \$4,000,000.

RICHARD N. ELLIOTT,  
J. WILL TAYLOR,  
FRITZ G. LANHAM,

*Managers on the part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

## ENFORCEMENT OF PROHIBITION

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker and ladies and gentlemen of the House, I am offering this morning a resolution as the result of the astounding conditions existing in the New York prohibition office, as reported in the Republican New York Herald Tribune, and other papers. The resolution reads as follows:

## House Resolution 283

Whereas Maj. Maurice Campbell has relinquished his post as prohibition administrator of New York City under conditions that indicate great laxity in the enforcement of the Volstead Act and the interference by New York Republican politicians in the enforcement of that act; and

Whereas the enforced resignation of the said Campbell follows the raiding of the Ritz-Carlton Hotel and the Central Park Casino, favorite rendezvous of the fashionable and the wealthy; and

Whereas said Campbell charges that "there are certain brewery permits, whisky permits, and alcohol permits that local politicians and certain administration officials in Washington feel must be restored in order to secure necessary support for the Republican ticket in New York this fall"; and

Whereas the said Campbell charges that certain United States Treasury officials are insincere in their efforts to enforce the law and have publicly demonstrated that fact to Campbell; and

Whereas the Federal grand jury of New York City has handed up a presentment charging "laxity" and "malfeasance" in the office of the said Campbell; and

Whereas said Campbell charges United States Attorney Tuttle at New York with "playing politics," and adds that said Tuttle, to further his ambition to be the Governor of the State of New York, had incited the grand jury to make this presentment: Now, therefore, be it

*Resolved*, That the Committee on the Judiciary of the House be empowered to investigate forthwith the enforcement of the Volstead Act and the eighteenth amendment in the office of the New York prohibition administrator for the past three years, and that said committee report its findings to the House with all convenient speed.

Now, therefore, gentlemen, I ask unanimous consent that this matter be investigated by the Judiciary Committee of the House.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. CELLER. Yes.

Mr. O'CONNOR of New York. Is it not a fact that the nucleus of the Republican organization in the city and State of New York consists of prohibition officials and permit holders? They contribute to the Republican campaign funds. On election day they captain and man the polls. Prohibition furnished a new source of political patronage and "sinews of war." No Democrat, however legitimate his application, can get a permit. If he has one, it is taken away under some pretext and given to some faithful Republican.

Mr. CELLER. What the gentleman says, if true, is outrageous.

Now, gentlemen, these charges I make are very serious. Just think of it. This man raids the Central Park Casino and the Ritz-Carlton Hotel, the rendezvous of the elite and of the aristocracy of wealth, and presto, off comes his head. If it is a speak-easy or beer plant that is raided, no commotion is involved.

But as soon as the Ritz-Carlton Hotel is touched action is immediately taken. You have Campbell relieved from office. He should know that the Ritz-Carlton and the Central Park Casino are "out of bounds." Campbell must go. Otherwise he will raid Union League Club, the Bankers' Club, and the National Republican Club. That would be serious and embarrassing. He must go.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield there?

Mr. CELLER. Yes.

Mr. O'CONNOR of New York. Is not the National Republican included in that?

Mr. CELLER. I can not answer for the National Republican Club. I do not go there. But the Republicans of New York are going to take no chances.

Mr. DICKSTEIN. You propose to take the New York prohibition administrator under New York jurisdiction by your resolution? Should you not also take into consideration the work of Mr. Moses at the Albany office? Would not that resolution of yours help to investigate not only the Campbell conditions, as stated, but also the prohibition office in the northern part of New York?

Mr. CELLER. Mr. Campbell had the district which embraces the entire State of New York. This resolution covers all the offices or adjunct offices in the State of New York.

I think, gentlemen, we would stultify ourselves if we were to let this circumstance go by unchallenged, if we remained idle and supine under these conditions. I challenge the "drys" to allow its Committee on the Judiciary to ferret out the truth. Tuttle accuses Campbell, and Campbell accuses Tuttle.

Apparently ward politics has raised its ugly head in the office of the prohibition administrator. We should find out where the truth lies.

## WORLD WAR VETERANS' LEGISLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask this time in order to bring a message to the House, sent me by the veterans of the World War. I ask unanimous consent that the Clerk read this telegram in my time.

There being no objection, the Clerk read the telegram, as follows:

PORT BAYARD, N. MEX., July 1, 1930.

HON. JOHN E. RANKIN,

*House Office Building, Washington, D. C.:*

Kindly present following plea to House: Veterans' organizations at Fort Bayard respectfully request that the House accept Walsh-Connally amendment to substitute pension bill raising rates to status of Spanish-War pensions. We consider any less pension would be most unjust and discriminating against our uncompensated comrades. Your vote of April 24 for veterans' relief convinced the disabled that you did sincerely desire to alleviate their sufferings but the passage of a mere pittance now would in no way eliminate the deplorable condition of these veterans, and would only necessitate more adequate legislation at next session of Congress. Under the proposed bill, without the Walsh-Connally amendment, the average pension paid would be \$12 a month; surely you can not wish an actual overseas war-time disabled veteran to receive 40 cents a day from the Nation for which he fought and expect him to take care of his dependents out of that. A man with a 74 per cent disability would receive \$18 for himself and destitute children, or 60 cents per day. Does this sound reasonable or logical? We know there are more taxpayers than disabled veterans but do you not think that a great number of those taxpayers would very vigorously resent such treatment of the Nation's defenders? Can you not solve this problem now and end the suspense and anxiety which is daily adding to the burden of these helpless, dying men?

HINDS WELCH,

*American Legion.*

FREDERICK VILLIT,

*Veterans of Foreign Wars.*

FRANK SMITH,

*United Spanish War Veterans.*

ALBERT MORIARTY,

*Disabled American Veterans.*

Mr. RANKIN. Mr. Speaker, of course, this telegram registers my sentiments; but there is a report being circulated through this House and through the Senate to the effect that the commander of the American Legion indorsed this bill the other day as it passed the House.

I took this question up with the commander of the American Legion and found that he had done nothing of the kind. He says he had no authority to indorse it even if he had been disposed to



do so. Any message to the effect that he indorsed it at any time, either before you voted on the President's veto or afterwards, is in conflict with his statement to me.

This bill will likely be before you again in a short time with the rates increased to the Spanish War pension rates, and we want to see whether or not you are sincere in wanting to give these disabled men relief. Are you willing to give a reasonable degree of relief to disabled World War veterans whose disabilities originated in the service, and who would be drawing compensation now if they could receive justice in the Veterans' Bureau?

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. COOPER of Ohio. Will the gentleman tell the House whether or not the commander of the American Legion has indorsed the bill which the House passed and sent to the Senate and asked for its passage?

Mr. RANKIN. He did not.

Mr. COOPER of Ohio. I thought I heard a telegram read yesterday on the floor of the Senate which showed that he did.

Mr. RANKIN. I am telling you what he says about it. Not only that, but I wired him again and he was out of town. His adjutant wired back that he had gone over the matter with him before he left and he said he did not indorse it, had no authority to indorse it or any other pension bill, and that therefore he had not indorsed it.

I do not know where the report came from, but I do know that John Thomas Taylor had no right, if he did, to represent to you that the American Legion was behind it, because they were not.

My opinion is that those reports were circulated in order to mislead you into voting to sustain the veto of the President. [Applause.]

#### STOCK-MARKET INVESTIGATION

Mr. BLACK. Mr. Speaker, I ask unanimous consent to address the House for six minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLACK. The Republican elephant gets dizzy these days as it squints at the stock ticker. Now the G. O. P. leaders are accusing the poor benighted Democrats of pulling the plug in the stock market.

Stock-market quotations used to be Exhibit A in the Republican proof of prosperity. Well, they ought to be of the same evidentiary value of depression; but no; the Republicans say that Wall Street must be investigated. It is not acting right by our Herbert.

How can the market go up when millions of men are walking the street out of work? How can Wall Street react favorably to Washington when Washington has adopted a policy of commercial isolation. How can stocks go up when trade goes down? How can the country advance when its leaders are in a blue funk?

What a topsy-turvy country Hoover has given us.

He has made business a nightmare. He has made finance a ghost story, for it just is not any more. Now he has made our conservative friend, WILL WOOD, howl for the blood of the bulls and bears of Wall Street. WILL WOOD wants to investigate Wall Street. That is the political joke of the decade. Why not call out the Army and Navy and advance on the stock market by sea, land, and air?

Hoover is responsible for the failure. He has become chief clerk of the United States instead of President. He is enmeshed with routine and red tape instead of dictating broad, sound policies of government. It was an evil day for the G. O. P. when Hoover decided on a fade out for Andy Mellon. White House publicity was to be centered on the chief and the Cabinet members were to be deflated. It was childish; it was dumb; it was done, and so was the country.

Hoover made a name for himself by organizing the Belgian relief. It looks as if he will have to call the boys and girls together and organize for American relief. With men out of work, with shops closed, with trade low, with bread lines, and with national despair it looks as if the great humanitarian will have to start to feed and clothe America on a scientific social welfare basis. The only question is, What will he use for money? Maybe Bishop Cannon will show him how to get it.

#### JULY 5 HOLIDAY

Mr. McLEOD. Mr. Speaker, I ask unanimous consent for the present consideration of a joint resolution (S. J. Res. 184) to declare July 5, 1930, a legal holiday in the District of Columbia.

The Clerk read the joint resolution, as follows:

*Resolved, etc., That Saturday, July 5, 1930, be, and the same is hereby, declared a legal holiday in the District of Columbia for all purposes: Provided, That all employees of the United States Government in the*

*District of Columbia and all employees of the District of Columbia shall be entitled to pay for this holiday the same as on other days.*

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. GARNER. Reserving the right to object, what committee reported the resolution?

Mr. McLEOD. The District Committee.

Mr. GARNER. Did the committee have a meeting and was the resolution unanimously indorsed?

Mr. McLEOD. Yes. This resolution has already passed the Senate.

Mr. PATTERSON. Reserving the right to object, this resolution applies only to the employees of the District of Columbia?

Mr. McLEOD. Yes.

Mr. PATTERSON. Does the gentleman not think it would be just as proper to extend it to all employees of the Government in other places the same as in the District of Columbia?

Mr. McLEOD. I can not answer that question.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### TO DISPENSE WITH CALENDAR WEDNESDAY

Mr. TILSON. Mr. Speaker, I ask unanimous consent that Calendar Wednesday may be dispensed with during the remainder of the session.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

Mr. GARNER. Mr. Speaker, reserving the right to object, and I do not intend to object, I would like to ask how many more Calendar Wednesdays we are going to have?

Mr. TILSON. I hope not many. The gentleman from Texas knows that if we had passed a formal resolution to adjourn it would have done away with Calendar Wednesday for the last two weeks of the session, and this is to serve the same purpose.

Mr. GARNER. This side of the House has been trying to accommodate the gentleman in every way possible.

Mr. TILSON. The gentleman from Texas has certainly done so.

Mr. GARNER. Now the gentleman is coming along and asking to dispense with Calendar Wednesday for the balance of the session. That may mean until next December.

Mr. TILSON. We hope not.

Mr. GARNER. I hope not, too; but I would rather the gentleman would ask one at a time and we will see how many more we have. I do not know whether we are going to remain here until December or not.

Mr. TILSON. It will not do any harm.

Mr. GARNER. A resolution was just passed whereby everybody else quits work on Saturday, but the resolution did not say anything about Congress. I am just wondering when the gentleman thinks we are going to adjourn?

Mr. TILSON. The gentleman knows that he and I are in thorough accord on this matter of adjournment, but we seem to be getting nowhere.

Mr. ALMON. Can the gentleman indicate when he expects the House and Senate to adjourn?

Mr. TILSON. I have no idea. The gentleman's knowledge on that point is just as full as my own.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

Mr. HARE. Reserving the right to object, I would like to inquire whether or not it is the purpose to substitute the Private Calendar for Calendar Wednesday?

Mr. TILSON. If there is any hope or any indication of a hope of adjournment, I shall ask for consideration of the Private Calendar very quickly, and I assure the gentleman that he is going to have his opportunity to go on with the Private Calendar.

Mr. HARE. Before adjournment?

Mr. TILSON. Yes.

Mr. O'CONNELL. Suppose we do pass more bills on the Private Calendar during the session; what is going to happen to them in the other body?

Mr. TILSON. I am unable to enlighten the gentleman on that point.

Mr. JONES of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JONES of Texas. Has this Congress done all it is going to do to bring equality to agriculture?

The SPEAKER. The Chair does not think that would qualify as a parliamentary inquiry.

Mr. JONES of Texas. It is at least a pertinent inquiry.



Mr. TILSON. Mr. Speaker, I renew my request.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

ALLOWANCE TO THE TWO ASSISTANTS IN THE OFFICE OF THE ATTENDING PHYSICIAN OF THE HOUSE

Mr. GUYER. Mr. Speaker, by direction of the Committee on Accounts, I present a privileged resolution.

The SPEAKER. The gentleman from Kansas offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 279

*Resolved*, That until otherwise provided by law there shall be paid out of the contingent fund of the House an allowance not to exceed \$30 per month each to the two assistants in the office of the attending physician.

With the following committee amendment:

After the word "physician" insert "starting December 1, 1929."

Mr. PATTERSON. Will the gentleman yield?

Mr. GUYER. Yes.

Mr. PATTERSON. I want to say that this resolution has a great deal of merit in it and it was practically unanimously reported by the Committee on Accounts, but I do want to say that as a member of that committee I for one do not like this retroactive pay. I feel about that as I feel with reference to raising our own salaries. I could not bring myself to the point of favoring this retroactive pay, although I know that the men for whom this pay is intended are deserving. There was no question about that in the committee but I just wanted to express my feelings in regard to the retroactive feature of the resolution, and I say that I oppose the amendment on that ground.

Mr. GUYER. I will say in answer to the gentleman that these men began their work last year, one on the 1st of August and one on the 1st of September, while their pay only begins the 1st of January.

Mr. PATTERSON. There is no question about when they began, and, as I said, there is a great deal of merit in the resolution.

The committee amendment was agreed to.

The resolution was agreed to.

CONSOLIDATION AND COORDINATION OF GOVERNMENTAL ACTIVITIES AFFECTING WAR VETERANS

Mr. BEEDY. Mr. Speaker, by direction of the Committee on Expenditures in the Executive Departments I ask unanimous consent to take from the Speaker's table H. R. 10630, a bill to authorize the President to consolidate and coordinate governmental activities affecting war veterans, with Senate amendments, and agree to the Senate amendments.

The SPEAKER. The gentleman from Maine asks unanimous consent to take from the Speaker's table House bill 10630 with Senate amendments, and agree to the Senate amendments. The Clerk will report the bill and the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 2, after "the," insert "Veterans'."  
 Page 2, line 2, strike out "of Veterans' Affairs."  
 Page 2, line 7, after "the," insert "Veterans'."  
 Page 2, line 7, strike out "of Veterans' Affairs."  
 Page 2, line 11, after "the" where it appears the second time, insert "Veterans'."  
 Page 2, line 12, strike out "of Veterans' Affairs."  
 Page 2, line 16, after "such," insert "Veterans'."  
 Page 2, line 17, strike out "of Veterans' Affairs."  
 Page 2, line 22, after "such," insert "Veterans'."  
 Page 2, line 22, strike out "of Veterans' Affairs."  
 Page 3, line 13, strike out "administration of veterans' affairs" and insert "Veterans' Administration."  
 Page 4, line 14, after "the," insert "Veterans'."  
 Page 4, lines 14 and 15, strike out "of Veterans' Affairs."  
 Page 4, line 16, strike out "of Veterans' Affairs."  
 Page 5, line 4, after "the," insert "Veterans'."  
 Page 5, line 5, strike out "of Veterans' Affairs."  
 Page 6, line 6, after "the," insert "Veterans'."  
 Page 6, line 6, strike out "of Veterans' Affairs."  
 Page 6, line 7, after "the," insert "Veterans'."  
 Page 6, line 8, strike out "of Veterans' Affairs."  
 Page 6, line 9, after "the," insert "Veterans'."  
 Page 6, line 9, strike out "of Veterans' Affairs."  
 Page 6, lines 16 and 17, strike out "of Veterans' Affairs."  
 Page 6, line 18, strike out "of Veterans' Affairs."  
 Page 7, line 8, strike out "of Veterans' Affairs."

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, as I followed those amendments in the RECORD, they all relate to the name of the new bureau and the name of its chief official. That is the effect of all the amendments, as I understand?

Mr. BEEDY. Somebody evidently thought that veterans' administration sounded better than administration of veterans' affairs, and they made that change, and that is the only change.

Mr. CRAMTON. Inasmuch as this great economy measure gets its claim to economy by reason of a change in the name of certain officials, I suppose it is urged that this further change means greater economy and should be accepted.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were agreed to.

CONSIGNMENT OF GOODS SHIPPED TO THE PHILIPPINE ISLANDS

Mr. BEEDY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 6127, to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to Philippine Islands, with a Senate amendment, and agree to the Senate amendment.

The SPEAKER. The gentleman from Maine asks unanimous consent to take from the Speaker's table House bill 6127, with a Senate amendment, and agree to the Senate amendment. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, line 11, after "services," insert "shall not include any charges for ship-side deliveries that may hereafter be made except when services in connection therewith may be requested by the department or bureau concerned."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, may I suggest, if it is convenient, that the Chair let the membership know about what the program is for to-day.

The SPEAKER. The Chair some time ago informed a number of Members that no rules would be suspended to-day. However, in view of the fact that the House has given consent to the elimination of Calendar Wednesday, the Chair expects, at the conclusion of action on the so-called border patrol bill, to recognize two suspensions which deal with the question of unemployment. [Applause.]

FOREIGN LOANS

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Senate Resolution 293.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LOZIER. Mr. Speaker, on June 16, 1930, the Senate passed Senate Resolution 293, offered by the Senator from Virginia, Mr. GLASS. The resolution called attention to the prevailing practice of the State Department sanctioning the flotation of foreign loans and the sale of foreign securities in the United States, and requested the Secretary of State to inform the Senate upon what authorization of law, constitutional or statutory, expressed or implied, does the State Department base its right either to approve or disapprove investment securities offered for sale in the money markets of the United States by foreign governments, corporations, or individuals; and by what sanction of law, constitutional or statutory, does the State Department assume the right to direct the action of the Federal Reserve Board or banks with respect to their lawful powers concerning the business of banking in foreign countries or the investments of these banks in foreign securities offered in the money markets of the United States.

In support of this resolution, the author stated that about two years ago, when Congress was not in session, for the first time the public was apprised of the fact that the State Department was undertaking to supervise flotations of securities in the money markets of the United States.

Regarding the action of the State Department as an unprecedented usurpation of authority by a department of the Government that had nothing whatever to do with the financial activities of the American people, the Senator protested against a continuance of such unwarranted action. In the United States Daily of October 14, 1927, Senator GLASS called attention to this situation and protested against the practice being followed.

I am in full accord with the action of the Senate in adopting this resolution and I am hopeful that it will result in a termination of this practice by the State Department, which has had much to do with taking \$12,000,000,000 or \$15,000,000,000 of



American money out of the American channels of trade and commerce and lending it to foreign nations, foreign provinces, foreign municipalities, foreign railroads, foreign industrial concerns, and foreign utility companies.

But I am at a loss to understand why the Senator and the public did not discover that this practice was being followed long before October, 1927. I call your attention to the fact that this practice was established by President Harding within a few weeks after his inauguration. In a series of seven addresses, made by me in 1925, I called the attention of the House to this practice and discussed the matter in detail, as will be seen by reference to the CONGRESSIONAL RECORD, as follows:

February 7, 1925, page 3267.

February 15, 1925, page 3669.

February 16, 1925, page 3917.

February 17, 1925, page 3995.

March 2, 1925, page 5137.

March 3, 1925, page 5424.

March 4, 1925, page 5580.

By reference to the RECORD on these dates you will find a very complete and detailed history of the flotation of foreign loans and the sale of foreign securities in the United States. I discussed particularly the practice followed by the Wall Street bankers in floating these foreign loans and selling these foreign securities. I showed by indisputable evidence that no foreign loan of any consequence was floated and no foreign securities were sold in the United States without these loans and securities first having been submitted by the international bankers to the State Department, and until the State Department had stated in writing that it had no objection to the flotation of these loans or the sale of these securities.

If you will take the trouble to refer to the RECORD to which I have referred, you will find that I presented this matter to Congress and called attention to the practice two years before the distinguished Senator from Virginia discovered for the first time that this practice was being followed. In my remarks in 1925 I emphasized the folly of withdrawing hundreds of millions—yes; billions—of dollars from the money markets in the United States and lending it abroad on long-time loans. I showed that the withdrawal of these funds from the United States reduced the supply of money that was available for loans and productive industry, and that this undeniably caused an advance in the rates of interest charged the American farmer, the American manufacturer, and the American business man on loans which they were compelled to make in order to conduct their several activities. I also showed that by sending these billions of dollars abroad we were reducing the supply of American capital that was available for the flotation of railroad, corporate, national, State, county, and city bonds. If these immense sums, instead of being invested abroad, had been available for investment in the United States, all of our domestic bonds and securities would have been floated at a much lower rate of interest and this would have meant a substantial reduction of interest and fixed charges, which would have been reflected in greater profits to the American people.

I also called attention to the fact that much of this American money that was loaned abroad was ultimately used for the rehabilitation of industrial plants in Europe, and by this action we were financing our competitors, placing them on their feet, and enabling them to sell the products of their mills and factories in competition with our own products, thereby enabling them to take from us the world markets that we had captured during and after the World War.

It is certainly an unwise and improvident policy for us to use American capital to build up foreign manufacturing plants to compete with us in the world markets; and that is exactly what we did, following the leadership of two Republican national administrations, cooperating "hand in glove" with a well-organized and powerful group of international bankers.

If you will read the remarks I made in 1925, you will find that on May 25, 1921, President Harding and Secretaries Mellon and Hoover had a conference at the White House with a group of prominent New York bankers, including J. P. Morgan, Paul M. Warburg, James A. Alexander, Charles A. Sabin, Benjamin Strong, C. E. Mitchell, and F. I. Kent. At this conference it was agreed that no foreign loans were to be floated and no foreign securities were to be sold in the United States without having these securities first submitted to the State Department. If the State Department disapproved such flotation, the bankers agreed that they would have nothing to do with the proposition, and would only float foreign bonds and sell foreign securities after the State Department had officially announced that it had no objection to the sale of these securities in the United States.

On March 3, 1922, the State Department, in a formal announcement, called attention to the agreement that had been reached in 1921, between President Harding and Secretaries Mellon and Hoover and the New York international bankers, in reference to the public flotation of foreign bonds, and the desire of the Government to be fully informed of such transaction. Continuing, the statement issued by the Department of State said:

The flotation of foreign bond issues in the American market is assuming an increasing importance, and on account of the bearing of such operations on the present conduct of affairs it is hoped that American concerns that contemplate making foreign loans will inform the Department of State in due time of the essential facts and of subsequent developments of importance. American concerns that wish to ascertain the attitude of the department regarding any projected loan should request the Secretary of State in writing for an expression of the department's views. The department will then give the matter consideration, and in the light of the information in its possession, endeavor to say whether objection to the loan in question does or does not exist.

The Secretary of State described a formula to be followed by American bankers proposing to negotiate foreign loans and that formula was as follows: The banker was required to make a written request to the Department of State, describing the loans, securities, and all important facts in relation thereto, and inquire whether the Department of State has any objection to the negotiation and flotation of the loan. Thereupon the Secretary of State makes an investigation, and in the light of the information in his possession, notifies the bankers whether objection to the loan in question does or does not exist.

But it is claimed by the Department of State that it did not approve loans but merely stated that it had no objection to the flotation of the loans in question. This is begging the question. A statement that the Department of State had no objection to the flotation of a foreign loan is tantamount to an approval of that loan and will be so considered by persons of ordinary intelligence and experience.

In diplomatic parlance, a statement from the Secretary of State that no objection to the loan exists is in essence and effect an express approval, and without such an expression of the attitude of the State Department probably no foreign loan of any magnitude would have been floated in the United States. It was not necessary for the Secretary of State to announce affirmatively an approval of the loan, but his statement that he knows of no objection to the loan in question is understood by bankers and all persons having even a limited amount of common sense as an approval of the loan, or as a consent or authorization that the loan may be negotiated and the securities sold in the United States without objection from the State Department.

During the series of addresses made by me in February and March, 1925, on this subject, the late George W. Harvey, then editor of the Washington Post, challenged my contention that these foreign loans were being negotiated and these foreign securities sold in the United States with the express approval or tacit consent of the State Department. In my remarks, appearing in the CONGRESSIONAL RECORD of March 4, 1925, beginning on page 5580, I replied to Mr. Harvey and conclusively showed by the records that my contention was correct. In those remarks I quoted from the announcements made by the State Department, news items carried by the Associated Press, articles from New York financial journals, interviews from the President, statements of Cabinet members, all of which conclusively established the fact that these foreign loans, aggregating billions of dollars, were not floated in the United States unless and until the State Department had officially in writing announced that it had no objection to the flotation of these foreign loans and the sale of these foreign securities in the United States.

And as additional proof I wrote letters to Blair & Co., Dow, Jones & Co., the Equitable Trust Co., J. P. Morgan & Co., the New York Commercial & Financial Chronicle, the National City Co., Moody's Investors' Service and inquired whether or not the foreign loans floated by them or others in the United States were first submitted to the State Department for its approval. And in every instance I received a reply stating in substance that no foreign loans were negotiated and no foreign securities sold in the United States without such flotation having been first submitted to the State Department, and these great concerns stated that after submitting the proposals to the State Department it was their custom to proceed with the negotiations only in cases where the State Department interposed no objection. I will not take the time to print these letters and official records, documents, and statements, but you will find them set out in *hac verba* in my remarks in the CONGRESSIONAL RECORD of March 4, 1925, beginning on page 5580.



I also quoted from advertisements in which these international bankers offered these foreign securities to the public with the statement that the Government had approved the sale of these securities in the United States. President Coolidge even issued a statement approving the loan of \$100,000,000 which was made by the New York bankers to France. In its issue of February 21, 1925, in discussing the proposed French loan of \$135,000,000, which had the sanction of the administration, the New York Journal of Commerce said that—

Projected loans are submitted to the State Department before being consummated.

Continuing, the Journal of Commerce said:

The usual procedure in the case of negotiations between foreign governments and American financial interests looking toward loans, is for the American bankers to seek first the advice of Washington officials.

I will not trespass further upon your time and patience, but I hope you will find time to read my observations made in 1925 on this subject, especially my remarks of March 4, 1925, beginning on page 5580 of the CONGRESSIONAL RECORD, in which you will find a multitude of facts and a wealth of history in relation to the flotation of foreign loans and the sale of foreign securities in the United States. These loans will probably now aggregate \$15,000,000,000. I am not referring to the loans we made to European nations during the World War. I am not referring to war loans. I am talking about loans that have been made since the World War to foreign governments, foreign provinces, foreign cities, foreign public utilities, foreign railroads, and foreign industrial concerns.

If the \$15,000,000,000 that we have loaned abroad since the armistice had been kept in the United States and been available for investment or loans, it would have contributed materially to our prosperity. It would have stimulated productive industry, reduced interest rates, and given employment to millions of men and women who now walk the streets begging for employment and the opportunity to earn and eat their bread in the sweat of their faces.

I think Senator GLASS, in offering Senate Resolution 293 has performed an important public service, and the Senate is to be congratulated upon having adopted the resolution. I hope the action of the Senate in adopting this resolution and the results that will flow from the proposed investigation will put an end to the practice of the State Department in giving actual or tacit approval for the sale of foreign securities in the United States. American capital to the extent of \$15,000,000,000 has been taken out of the United States where it was made and where it belongs and buried overseas in long-time loans. These billions of American capital are now serving foreign nations, foreign provinces, foreign cities, foreign railroads, foreign manufacturing concerns, and foreign utility companies, when prudence and sound economics suggest that these billions should have been kept in the United States to serve and to work for the American people.

#### THE DEATH OF STEPHEN G. PORTER

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that the Clerk may read a short editorial appearing in the Houston Chronicle of last Sunday on the death of STEPHEN G. PORTER, headed "The Fight Must Go On."

There being no objection, the Clerk read the editorial, as follows:

#### THE FIGHT MUST GO ON

In the death of STEPHEN G. PORTER the crusade against the narcotic evil suffers the loss of an able and energetic leader. It is truly unfortunate that the Pennsylvania Congressman could not have been spared a few years more for useful service. The fight must go on. It is merely a question of finding one who can direct it as ably as did Mr. PORTER.

As chairman of the American delegation which met with the League of Nations commission attempting in 1925 to formulate some international plan for curbing the "dope" evil, Mr. PORTER startled the diplomats of the Old World by walking out of the conference, sternly refusing to participate in deliberations he felt were getting nowhere, due to the selfish policies of certain nations which were benefiting financially from the traffic in opium. Then and there he raised high America's flag, showing the moral courage which has always animated the hearts and minds of men who think of principles ahead of dollars.

The problem of eradicating from international commerce the product of the poppy is admittedly a difficult one. Holland, Great Britain, to a lesser degree France, are holding back, refusing to listen to the voice of conscience. Many men in those countries are making fortunes—fortunes whose foundation is a shameful one. Only the force of public opinion can deter them.

A new conference is to be held next year looking to the submission of a concrete plan of action. America will be represented there, and it is to be hoped our delegation will be headed by a man as resourceful and determined as STEPHEN G. PORTER. Without such a one, the lobby

which protects the manufacturers of narcotics will probably be strong enough to prevent the adoption of measures which would lead ultimately to the ruination of their "business." No compromise should be America's slogan at the London conference.

The world-wide traffic in narcotics is decidedly a dirty business for alleged Christian nations to countenance. The fight must go on until the people are fully aroused. When they understand the significance of the struggle to which STEPHEN G. PORTER dedicated long years of unselfish service they will order their governments to act.

#### CONSTRUCTION OF A DIKE ACROSS CAMAS SLOUGH TO LADY ISLAND ON THE COLUMBIA RIVER

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4663) granting the consent of Congress for the construction of a dike or dam across the head of Camas Slough to Lady Island on the Columbia River in the State of Washington, and immediately consider the same, a similar bill being on the House Calendar.

The SPEAKER. The Chair understands the gentleman considers this a matter of emergency?

Mr. JOHNSON of Washington. It is an emergency; yes.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Crown Willamette Paper Co., of Portland, Oreg., to construct a dike or dam across Camas Slough (Washougal Slough) at a point near the mouth of Washougal River to Lady Island, State of Washington: *Provided*, That the work of constructing this dike or dam shall not be commenced until the plans therefor have been filed with and approved by the Chief of Engineers of the United States Army and the Secretary of War: *Provided further*, That in approving the plans for said dike or dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of War may deem necessary to protect the present and future interests of the United States: *And provided further*, That this act shall not be construed to authorize the use of such dike or dam to develop water power or generate hydroelectric energy.

SEC. 2. The authority granted by this act shall cease and be null and void unless the actual construction of said dike or dam hereby authorized is commenced within one year and completed within three years from the date of approval of this act.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I think the gentleman ought to make a brief statement so that the Members of the House may know what are the provisions of this bill, how large a dam or dike is to be constructed, and for what purpose it is to be constructed.

Mr. JOHNSON of Washington. This is a slough, which is a small arm of the Columbia River. The river is navigable. The slough is not navigable except for dredges hauling pulpwood for paper. The bill permits the slough to be dammed, the reason being that the rise and fall of water in flood time in that part of the Columbia River is so high that this work is necessary. It will not form any obstruction to navigation. The redraft of the bill was prepared in the War Department, and the rights of the Government will be fully protected.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

#### LABOR AND UNEMPLOYMENT

Mr. SLOAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on unemployment and other matters.

The SPEAKER. Is there objection?

There was no objection.

Mr. SLOAN. Mr. Speaker, since the October, 1929, crash in the stock market we have heard often on this floor and read much in the press concerning unemployment throughout the country. Sometimes, intimately related, even as by cause and effect, lack of employment goes with lack of food and clothing.

So unemployment of those who will work is a serious and regrettable condition. To meet this there should be an earnest provident effort to prevent, and if that be too late, swift action to alleviate. As prosperity is usually estimated higher than warrantable, so adversity is often raised in statement to the nth degree. The census returns now being collected and collated indicate that 2,000,000 will be near the true figure, where 4,000,000 has been asserted. The condition is probably emphasized and acute in the large centers within whose areas the speculative frenzy of a year ago was most general and unrestrained.



If the unemployment were equally distributed among the 435 congressional districts in the United States there would be about 4,600 for each district. The census shows the unemployment in the fourth Nebraska district to be only 1,086, distributed among the counties as follows:

|           |     |
|-----------|-----|
| Butler    | 99  |
| Fillmore  | 62  |
| Gage      | 235 |
| Hamilton  | 50  |
| Jefferson | 146 |
| Polk      | 68  |
| Saline    | 73  |
| Saunders  | 130 |
| Seward    | 52  |
| Thayer    | 84  |
| York      | 87  |

This should be for all who would honestly toil. If preference there would be let those have it whose tasks are the heaviest and, therefore, frequently most lightly paid. Sometimes drudgery carries a responsibility prior and greater to that more highly rewarded.

Speaking once to an audience of railway employees, I said:

For years my travel has taken me through nearly every State in the Union, and in many foreign nations on the railways. I have often thought as I gazed from the train windows and noted our swift passage through varied scenes of restful nature and activities of commerce, of the reasonable safety which was assured me by the faith in those who drove, and those who controlled these flying palaces. As I retired for the night there was a trust that those in charge, faithful to their duty, were concerned for my safety, and I awoke in the morning thankful that my trust had been properly placed.

In this connection, I thought of the grim engineer, with hand on throttle sending revolving wheel and driving piston, as his engine devoured space. I considered too the man at his side, who fed the fuel to the insatiable maw of that mad monster, giving energy equal to demands of the engineer's master mind. I often considered well the courteous conductor whose will was law in the control, stop and start, speed and slack of that great train. Nor did I forget the man in charge of brake and switch at his side and under his command. Nor would I forget the sleepless unerring wizard of the wires, who determine stay or start.

And then I thought farther back to those laboring men, who under sun and rain, cold and heat, storm and calm, walk their sections of the great track over which this monster vehicle sped, with keen eye and experienced touch directed for unsound tie, defective rail, or loosened connection. Any of these once discovered, no matter what the hour, no matter what the condition, the repair must take place, often by one alone, before my train is permitted to travel that way.

And again, I thought of the men I had met in shop, and roundhouse, mid dust and soot, and oil and grime, at flaming forge and before furnace blast, riveting repairs, constructing and making fit the various worn, weakened or broken parts of that mighty monster, and the luxurious coach that was to bear me in comfort and safety across the vast expanse of space.

All these are entitled to honor and to consideration. But after all, the basic source of my safety seemed to lie in the men who walked and worked the track, and who prepared, repaired and fitted engine and car given over to those in immediate train control. Section men and shop men, both too often forgotten, not often considered; you, I hail as my basic protectors, when I travel on trains.

This is a district containing not more than two monomillionaires and an average of well over \$4,000 per capita wealth. The onward march of machinery is displacing man power, yet we are able to keep our people closely employed. Having been an employee at exceedingly low wages in youth and early manhood, and an employer at relatively high wages and salaries—always the highest in the community since that time—I know and appreciate the condition of the one and the problem of the other. That unemployment is no greater than it is, following the near panic of last fall, is largely due to the prompt and heroic action of President Hoover in calling in for consultation and cooperation the great employment and labor organizations of the country, which, with the Government's own contribution extended as far as could be employment without serious strike, lockout, or other violent forms of friction, which often proves exhausting and expensive to the two parties directly involved, and especially to the third party, known as the public.

Out of employment must be toilsome indeed. I can conceive of no harder work than "no work." A wood sawyer was once asked if his work was not hard. He said, "It is much harder to do nothing." To those who can, there is an imperative duty in as far as they may to find, furnish, or, when necessary, create employment for those whose necessities urge honest employment that they and their families may not want. I believe the Master would look with more ready approval upon those who would furnish work than those who would dole alms. I trust that no contemplated mergers and consolidations may hereafter

have sanction of the law from which these faithful men may suffer in either opportunity to work or to receive fair compensation. So do I hope that throughout the course of rapidly evolving industry, where man must battle with machinery, that the human factor must be dominant and man shall not be reduced to a parity with metal.

Scotland's inspired genius, upon hearing a man out of employment crave work that he might earn a living, and being rudely denied, wrote that matchless verse found in *Man Was Made to Mourn*—

Who begs a brother of the earth,  
To give him leave to toil,  
And see his lordly fellow-worm  
The poor petition spurn,  
Unmindful, tho' a weeping wife  
And helpless offspring mourn.

A cruel evidence that—

Man's inhumanity to man  
Makes countless thousands mourn.

One of the triumphs of this administration will be in its handling to a successful conclusion the economic problems of this country run wild with prosperity; when men neglecting work and disregarding rules of safe investment sought company with chance and fortune, rather than toil and thrift, sped to danger rather than cling to safety, brought our commerce and finance to a condition requiring the genius of our President and the cooperation of the Nation's strong forces to prevent a cataclysm.

We believe that danger is passing and a restoration of sound conditions is on its way.

One of the means in which many may aid is in meeting unemployment. It can not be solved in mass, but by each potential employer applying his means to the individual cases. Because idleness is not a mass, millions, it is in many cases of your neighbors, Smith, Jones, and Brown.

Men should have opportunity. Men should be released from the slavery of idleness.

Ho, all who labor, all who strive!  
Ye wield a lofty power;  
Do with your might, do with your strength,  
Fill every golden hour!  
The glorious privilege to do  
Is man's most noble dower.  
Oh, to your birthright and yourselves  
To your own souls be true!  
A weary, wretched life is theirs  
Who have no work to do.

#### OLD-AGE PENSIONS

Mr. MAAS. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Minnesota [Mr. SELVIG] may have permission to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. SELVIG. Mr. Speaker, the subject of old-age pensions received the attention of the Committee on Labor of the House of Representatives during the recent session of Congress. The testimony presented to the committee is well worth reading by every Member of this House and should be brought to the attention of the entire country.

It is a characteristic trait of our citizens to secure the facts and information regarding a problem and then to set themselves the task of formulating a policy in an attempt to solve it. That is what I hope will be the result with the problem of old-age dependency.

One reason that prompts me to speak to you on the subject of old-age pensions in the United States is that, throughout the civilized world, every nation has adopted the principle of the old-age pension excepting China, India, and the United States. I want to see America join with the intelligent nations of the world in solving this problem, as well as all other problems.

Fifty years ago the number of people in the United States over 65 years old was a little over a million. To-day they number over 6,000,000. While the progress made in medicine, surgery, and in sanitation has added to the length of life, industry, prompted by desire for efficiency and the profits of mass production, has tended to eliminate the employment of people who have reached or advanced beyond middle age. This has added greatly to the number of people who must turn elsewhere for sustenance and the means of making a living during their advanced years.

To-day we have 2,000,000 old people in the almshouses and charitable institutions of the country. We spend half a billion



dollars a year to maintain them. My colleague and esteemed friend Doctor Sirovich, Representative from New York, has gathered statistics showing that 70 per cent of this amount goes for administration and only 30 per cent reaches the inmates in the form of food and clothing.

The brutal system which compels a considerable number of the aged and infirm to spend their declining years in the poor-houses of the Nation is a pitiful and tragic indictment of our civilization. Its cost is high and its results are destructive.

The Committee on Labor, of which I am a member, has had the first hearings on this subject during the present session, and I want to call the matter to the attention of Congress and of the people of the country, in the hope that the situation will be more clearly understood and some constructive work to remedy it may become possible within the near future.

The United States is the richest nation in the world and can better afford to take good care of its old people than most of the other nations that are much farther advanced along this line. We should tax the great accumulations of wealth enough to permit all our people to look forward to a respectable and comfortable old age.

#### WORLD WAR VETERANS' LEGISLATION

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on veterans' legislation.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. McLEOD. Mr. Speaker, what the Federal Congress of a grateful Nation has done and is doing for its war veterans in keeping faith in a commendable fashion should be a most interesting story, not only to the veterans themselves but to all loyal and patriotic citizens of the country.

Twelve years ago the mighty United States of America was rallying to arms to determine whether our American form of government should continue to spread its blessings among mankind as it has done since the Declaration of Independence, or whether it should be forced to bow its head in ignoble submission to the will of an autocratic monarch. The answer was, as you all know, that "Democracy will live!" But that answer was obtained only by the service of thousands of young men and women who made the supreme sacrifice and the willingness of thousands upon thousands of others to risk the living death of mutilation, disfigurement, and humiliating dependency.

If anyone doubts that he owes an incalculable debt of gratitude to those who bore the chief burden of our battle with autocracy, let him visit the hospitals and the soldiers' homes, or worse the homes of those veterans who, though disabled, are still trying to work out a normal, independent existence for themselves and their families, some with and some without the help of their Government. It is the same undying spirit of these men that made them go out to fight 12 years ago that makes them so admirable in their quiet courage to-day, in their silent battle against the overpowering odds of life. We can not help admiring them; we must not permit any who need the help of the Government to be without it. That is our goal in Congress, and we are gradually accomplishing it.

The special benefits which the United States Congress has provided for veterans of the World War as a class may be divided into three kinds: First, direct care of sick and disabled veterans, which is represented by compensation, hospitals, and soldiers' homes; second, provisions for dependents of veterans, including Government insurance, adjusted compensation, dependents' compensation, gold-star mothers' voyages, funeral expenses for deceased veterans, and so forth; and, third, certain preferences for veterans and their wives in the Federal statutes.

Not a session of Congress is permitted to go by without some new act being passed for the extension of benefits to the veterans. The compilation of veterans' laws which are now in force embody all or the un repealed or unamended parts of 47 different important acts of Congress. The present Congress is the sixth which has come into being since the close of the World War, each Congress, as you know, beginning on March 4 of the odd-numbered year, and holding not less than two regular sessions before expiring on March 4 of the following odd-numbered year. There have passed in each Congress, therefore, an average of eight important measures of direct benefit to World War veterans, and I might say I have had the happy privilege of voting and working for the passage of nearly every one of them, due to the fact that my service in Congress began in the Sixty-sixth Congress back in 1920, the first one to assemble after the armistice was signed on November 11, 1918. There were in that Congress four World War veterans besides myself. At the present time there are 78 World War veterans

in the House and 20 in the Senate, making a total of 98 in Congress.

The present Congress seems to be well on its way toward enacting the usual number (eight or nine) of important veterans' measures. So much has been said recently about the Johnson-Rankin bill that it perhaps might have impressed people as being the only effort the present Congress has made in behalf of the veterans, but such is not the case. There is in the House of Representatives a Committee on World War Veterans' Legislation, to which has been referred during the present Congress between 700 and 800 separate bills intended to benefit World War veterans or their dependents. Many relate to the same subject, of course, and the committee may combine the best features of several bills into one, as they endeavored to do in the case of the Johnson bill, which passed the House in amended form Thursday afternoon of this week by a record vote of 365 to 4. After a composite bill is reported, usually all other bills on the same subject are dead. Hence the number of bills originated far exceeds the number reported. Twelve important general bills have been reported to the House so far, and of this number nine have already been passed by both the House and Senate, while six of the same group have become law (not counting the Rankin bill). Those which have become law are:

1. A bill to extend the time allowed for filing applications for adjusted-service certificates to January 1, 1935.
2. To extend the time allowed gold-star mothers in Europe in case of illness.
3. To pay the expenses of gold-star mothers visiting cemeteries in France.
4. Granting pilgrimages to persons in the position of loco parentis and where veterans were buried in unknown graves or at sea.
5. To extend for 10 years the preference granted to ex-service men filing homestead claims.
6. To provide additional hospital facilities for veterans.

You will note that of the bills enacted so far this session there is an insurance bill, a hospital bill, and a preference bill. We expect also the approval within the next few days of the compensation bill. This is an example of how the benefits have been gradually extended each session in the various kinds of relief.

Immediately following the war, our greatest problem was to provide hospitals for the disabled American soldiers who were being brought back from France. It was my privilege to be the author and sponsor, in 1920, of the first appropriation to take care of ex-service men in peace-time hospitals, which provided \$18,600,000 for the enlargement and equipment of United States Public Health hospitals. This was the beginning of a hospital building program all over the country. There were no Veterans' Bureau hospitals then. There was not even a Veterans' Bureau. All of the enormous hospital facilities of this gigantic agency of the Federal Government has been a continuous outgrowth of the policy we established back in 1920. The United States Public Health Service administers those great institutions known as United States marine hospitals, which are opened to the men from any branch of the military or naval forces of the United States. It is also a permanent health service which will be continued even after the World War veterans no longer have need for its beneficent care. I am particularly proud therefore of the new Detroit marine hospital, a most modern institution situated on a point of land in the beautiful Lake St. Clair at the head of the Detroit River, which when fully completed will have a capacity in excess of 300 beds. When I first introduced the bill providing for this new marine hospital in 1924, the ancient building which was then serving as a marine hospital was near the center of the city of Detroit and had become closely and completely surrounded by large industrial plants of the smokiest, dirtiest, and noisiest varieties. Next door was a varnish factory. One of the busiest thoroughfares in the city passed within 100 feet of the front door. Similar conditions existed around the hospitals in which wounded veterans were housed in other cities. It was imperative that something be done, and I am happy to say it has been done in Detroit and is being done in other places.

The United States Veterans' Bureau was established by an act of Congress approved August 21, 1921. The first annual appropriation for this bureau totaled \$65,000,000. The appropriations for the same branch of the Government for the fiscal year ending July, 1930, amount to \$510,000,000, or 22 per cent of the cost of running the Government for this year, and for the next year it has been predicted that the cost of the Veterans' Bureau will approach \$600,000,000. This, of course, is an enormous amount of money, but when one considers that the



United States called to the colors more than 5,000,000 men and women, and bearing in mind the enormous sacrifices that many of those 5,000,000 made for their country, the amount which the United States is spending per veteran is surprisingly small—less than \$100 per veteran per year. There are approximately 27,500 veterans in Government hospitals at Government expense. Most of them are there for treatment of disabilities incurred in the service, although whenever there is a vacant bed in a Government hospital, and all service-connected cases needing hospital treatment are taken care of, other cases are taken in whether the veterans can prove service connection of their disabilities or not.

It should be a matter of interest not only to us who are World War veterans but to the country at large that we in Congress who have the responsibility for legislating for the great army of ex-service men and women in the United States are striving every day and every hour to find the means to express more adequately the gratitude of our Nation to those heroic men and women who subjected themselves to all the evils and horrors of war in order that the ideals and honor of the United States of America might be protected in 1917 and 1918. When the bands were playing and patriotic fervor ran high 12 years ago we know that the soldiers were promised that nothing was too good for them. So long as we have the means to keep the Nation's promise we will not hesitate to do so.

The Veterans' Bureau consolidated the administration of the war risk insurance act with vocational rehabilitation, as well as the activities above mentioned. Vocational rehabilitation, you will recall, was the rather long name for what was intended to be a free school for disabled ex-service men. Those veterans who were accepted as eligible were sent to the best professional schools, colleges, and trade schools in the country, to teach disabled veterans how to be self-supporting despite the wounds and handicaps they may have received in the war. The Government footed the bill, as was proper and humane for it to do. Thousands of ex-service men were fitted for useful careers in this way. This kind of veterans' relief has been brought to a close.

Most men who have families or other dependents to support carry a certain amount of life insurance. As a matter of conscience they would not do without it. Naturally, when the war broke up the ordinary course of events, a great question arose as to what to do with life insurance. No commercial company could afford to take the risk of insuring the life of a man going into the trenches, so the Government went into the insurance business for this specific purpose. It is true that on September 2, 1914, although the United States was not then in the war, the seas had become so dangerous that the United States Government passed an act establishing a Bureau of War Risk Insurance in the Treasury Department for the purpose of insuring American vessels and cargoes against the risks of war. By an act approved June 12, 1917, this bureau was expanded to insure the "master, officers, and crew" of American vessels against loss of life or personal injury from war risks as well as for compensation during detention by an enemy of the United States following capture. By October of the same year, 1917, an act had been passed extending the benefits of Government insurance to every person in the military or naval forces of the United States who would agree to pay the premiums for such insurance. This was term insurance, intended merely to carry the soldiers and sailors over the period of emergency. After the war, by a series of acts, Congress made it possible for all who had carried insurance during the war to convert their insurance into regular insurance policies similar to those issued by commercial companies, but at a low premium rate. At the close of the fiscal year 1929 there were in force 649,837 United States Government life-insurance policies, amounting to \$3,058,577,039 insurance.

The Veterans' Bureau also has jurisdiction over another kind of veterans' insurance policy, called an adjusted-service certificate. This was awarded by an act of Congress passed over a presidential veto on May 19, 1924. The veteran is not required to pay a premium to keep this insurance policy in force. It has a fixed face value, the amount of it depending upon the length of time the veteran was in the service, which will be paid 20 years from the date the certificate was issued, or upon the death of the veteran if he dies prior to that time. This is what is sometimes referred to as the "bonus" or "adjusted compensation." The total number of these certificates issued to June 30, 1929 totaled 3,650,093, valued at \$3,473,738,527, which means that the average face value of adjusted-service certificates is slightly less than \$1,000 each. About 70,000 death claims have been paid on these certificates, which means that already the Government has paid \$70,000,000 to

the dependents of veterans who held these certificates. For the reason that this kind of certificate is based on the theory that it is adjusted compensation for the veterans themselves, and considering that many of the veterans are in such dire financial straits that there will never be a time when as a whole they will be in greater need of this money than they are now and have been during the recent business depression, it was hoped by many that these certificates, which are already fixed obligations against the Government, could be paid in cash at the present time rather than to require the veterans to wait until 1945 for payment. It was pointed out that at that late date thousands of veterans will have passed beyond the reach of any help, while if they were paid now they would receive the benefits themselves which were originally intended for them. I brought this proposition up on the floor of the House in the form of an amendment to another bill, on April 28 of this year, but the proposition was defeated on a point of order. There has been no other way of getting the matter to a vote in the House. Congress did, however, provide for loans to veterans by the Veterans' Bureau on these certificates, but this plan has the disadvantage of charging the veteran interest for the use of his own money; that is, if you accept the theory that these certificates represent "compensation" for service rendered. In many cases it has been found that the veterans were unable to pay off the loans and the accumulating interest is rapidly wiping out the principal, so that in the end those veterans who have borrowed will realize only a small proportion of the face value of their adjusted-service certificates.

These adjusted-service certificates were sometimes referred to as the "bonus," but the real bonus was a \$60 cash gift which was paid to every man who had an honorable discharge at a certain date shortly after the war.

Considering all the direct monetary benefits to veterans and their dependents since the armistice the total appropriations by Congress have amounted to more than \$8,000,000,000.

The indirect benefits, such as preferences in the civil service laws, immigration laws, census act, homestead laws, naturalization laws, are all important and exceedingly helpful to veterans in the unspectacular business of earning a livelihood. It is difficult to estimate the value of these preferences, but we know that hundreds of thousands of veterans and wives of veterans have been aided in a material way through such preferences. One which I happen to be most familiar with, due to my position as ranking member of the House Census Committee, is that provision which we wrote into the census act giving preference to veterans in the employment of census enumerators and supervisors by the Government for the taking of the census of the population and industries which began on April 1 of the present year.

Lack of time forbids that I say more on this subject at this time. But I do wish to say that I am firmly convinced that however generous to the veterans the Congress may be, the American people are as one with me in saying, "Let us do that, and more if possible—the veterans richly deserve the utmost that we can give them in gratitude."

#### UNITED STATES BORDER PATROL

Mr. PARKER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11204) to regulate the entry of persons into the United States, to establish a border patrol in the Coast Guard, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11204, with Mr. CRAMTON in the chair.

The CHAIRMAN. Under the rule there are two hours of general debate, one-half controlled by the gentleman from New York [Mr. PARKER] and one-half by the ranking minority member of the committee [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I ask that the gentleman from Missouri [Mr. MILLIGAN], who served as a member of the subcommittee, control the time on this side.

The CHAIRMAN. Without objection, the gentleman from Missouri [Mr. MILLIGAN] will control the time for the minority. There was no objection.

The Clerk read the title of the bill.

Mr. MILLIGAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. BOYLAN].

Mr. BOYLAN. Mr. Chairman, ladies, and gentlemen of the committee, by the passage of this bill you are setting up a new crime. I have spoken heretofore about the fact we are ap-



proximately now 7 to 10 years behind in our prison construction. Although this Congress in the second deficiency bill has appropriated some seven-odd million dollars for new buildings, yet even with that construction we will not be able to take care of the present overcrowded conditions in our Federal penitentiaries and jails. Yet we go on merrily creating new crimes to put people in jail.

Here we are sitting in the torrid heat of Washington. We ought to be at home about our business and about our districts, but we are sitting here in order that we may take time to pass a proper veterans' bill. The President and the great Secretary of the Treasury have said that the bill we passed would take too much money out of the Treasury, and yet here in this very bill you sign a blank check and you give it to the Secretary of the Treasury and say, "Here, fill in the amount; we do not care what it costs."

By the questions and answers here yesterday during the discussion of this bill, it was found that the appropriation for salaries alone would amount to approximately \$2,100,000, yet we can not pass a proper bill to compensate veterans of the World War. We are sitting here in the sizzling heat of the city of Washington waiting to do something that will be acceptable to the august highness, the President of the United States.

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. BOYLAN. Yes.

Mr. LINTHICUM. Is that \$2,000,000 plus, in addition to the salaries already paid the men on the border?

Mr. BOYLAN. Oh, yes; that is the amount for the additional salaries. There are to be 1,000 additional men at an average salary of \$2,100 a piece, which amounts to \$2,100,000.

The question was asked yesterday, "Will they have the right of search?" Why, of course, they will have the right to search. Look at the bill, page 8. Gentlemen, you will see by its provisions if you have any merchandise in your car or in your boat, they will search them to see what you have in order that they may arrest you and take you to one of these new ports of entry.

Mr. O'CONNELL. Will the gentleman yield?

Mr. BOYLAN. I yield.

Mr. O'CONNELL. But our friend from Kansas yesterday said that they would stop all that.

Mr. BOYLAN. Stop nothing. Please read the bill. Page 8, lines 1 to 8, inclusive, states as follows:

Any officer or member of the United States border patrol may arrest any person unlawfully entering the United States; may seize any merchandise unlawfully transported into the United States or in the possession of any person unlawfully entering the United States, or any vessel, vehicle, or aircraft, in which such unlawful entry is made; and shall promptly deliver any such persons, merchandise, vessel, vehicle, or aircraft into the custody of the appropriate officer.

Mr. LINTHICUM. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. LINTHICUM. What effect does this bill have on the little boat going from shore to shore with picnic parties?

Mr. BOYLAN. Yesterday there came to my mind a vision of the author of the bill, recently inducted into that delightful state that was characterized by a former distinguished President of the United States as being "one grand, sweet song." The picture came to me that this bill had passed and the gentleman was passing along the St. Lawrence among those beautiful islands that dot that river, and accidentally he had touched upon our shore.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MILLIGAN. I yield to the gentleman five minutes more.

Mr. BOYLAN. As I said, they were in the boat, floating along in a delightful state of bliss down the river, and through inadvertence touched the American side, and perhaps they had some wedding gifts and presents in the boat. Immediately our colleague would have committed a crime in transporting merchandise into the United States without going through a regular port of entry.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. BOYLAN. I yield.

Mr. COCHRAN of Missouri. Does the gentleman mean to say that if people from my district, for instance, tourists, coming to Washington, and going into Canada will be subjected to the provisions of this bill, to search by the border patrol?

Mr. BOYLAN. Absolutely.

Mr. COCHRAN of Missouri. Wives, children, and all their baggage open to search?

Mr. BOYLAN. Yes; and they will confiscate your automobile, and in addition impose a fine of \$100 for violating the

law if you do not enter or leave through a regular port of entry.

Now, gentlemen, in addition to that, 1,000 additional officers are being created and 212 additional ports of entry are authorized under the provisions of this bill.

What is to be the cost of all these additional ports of entry? We do not know. For that reason we are going to sign a blank check for the Secretary of the Treasury to fill in. The Lord alone knows what the ultimate cost will amount to.

I say that this bill is a masquerade—it comes here with a set of whiskers on it, long, flowing whiskers, and the name of the whiskers is "narcotic control." In addition to the whiskers it has a slouch hat, and the slouch hat of the bill is named "immigration restriction." If we pull the whiskers off and take off the slouch hat we find we have our old friend prohibition. [Laughter.] There he is. [Laughter.]

So I say if you can not do a thing directly do it indirectly, put on a slouch hat and whiskers and maybe the boys will not know you. [Laughter.]

Oh, this prohibition enforcement is a wonderful game!

Mr. PALMER. Will the gentleman yield?

Mr. BOYLAN. I yield.

Mr. PALMER. The object of this bill is to more securely protect the border against the invasion of unlawful entry of foreigners.

Mr. BOYLAN. That is one object.

Mr. PALMER. You are not opposed to that?

Mr. BOYLAN. Oh, no, indeed.

Mr. PALMER. Does not the gentleman think that the invasion of foreigners affects unemployment?

Mr. BOYLAN. Yes; undoubtedly; it might affect the gentleman and it might affect me.

Now, I will say that in the passage of this bill you men from the border—and there is hardly a man in the House from the border States but has had practical experience in his own State of law-abiding, respectable citizens of his State being shot on the public highway, mistaken for rum runners, or smugglers, or something of that kind.

What do you do in this bill? You add a thousand more men. A thousand men! Think of it. Every one of them armed with a blackjack and a revolver and a rifle.

Mr. Chairman, the "mere accidents," so-called, that have already occurred, will be as nothing to the flood of further "accidents," so called, that will sweep the country when you put out these thousand additional men, all armed with revolvers, blackjacks, and rifles, to harass and shoot law-abiding citizens of these United States. [Applause.]

Mr. MILLIGAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. MEAD].

Mr. MEAD. Mr. Chairman, I shall take up the discussion of this measure where my colleagues who are opposed to it left off. They have explained that it is a prohibition measure, prompted by the Anti-Saloon League, and that it has for its purpose the creating of an additional dry army of a thousand men to patrol our international borders. I assume from the history of the legislation that that is correct, but as a Member representing one of the districts situated along the northern international border I have a particular objection which I shall explain in the brief time allotted to me in this debate. We have been witness in the last few years to the deplorable tendency of the Federal Government engaged as it has been in building up a strong military organization along the boundary. We are aware of the shootings, the murders, and crimes committed by Federal agents in the name of the law, and we have appealed to the National Government on numerous occasions for relief and redress of these wrongs; we have urged the Federal authorities to intervene and in the name of humanity to stop the shooting of decent, honest, law-abiding citizens, and at the same time to exercise every precaution before killing a person who may even be actually violating the Volstead law. This is the answer of the Federal Government to that appeal—another dry army of a thousand more men, an initial appropriation of \$4,000,000, and God only knows what the future will bring. Only a few years ago in the city of Buffalo we dedicated what is known as the Peace Bridge, celebrating 100 years of peace between the two great nations, Canada and the United States. On that occasion the Prince of Wales, the Prime Minister of England, the Prime Minister of Canada, the Vice President of the United States, and the Governor of the State of New York were present.

In their addresses to the immense throng there gathered on that occasion we heard lauded the splendid example of Canada and the United States as an example that all the civilized nations of the world might very well emulate. They said, and truthfully, that along that 3,000 miles of border separating these two friendly countries there were no guns, no armed



guards, no forts or fortifications, no war vessels—truly an ideal condition. But, my friends, since the dedication of that Peace Bridge and the advent of present enforcement methods a different situation exists along our border; we now have guns, armed guards, war vessels, and other evidences of bitterness and ill feeling. Our citizens have been shot down in cold blood, and human life is no longer safe along our heretofore peaceful borders. I only need to recall the brutal murder of Jacob Hansen, of Niagara, the unwarranted killing of Anderson and Downey at Buffalo, and the shooting at small pleasure craft on the Niagara River, including the vessel operated by Mr. Raichle, who is Colonel Donovan's law partner. [Applause.] I only need to cite the complaint made by the Canadian Government to the State Department of the United States that shooting on the part of American patrol officers into Canada must cease to prove to the Members of the House that the situation is most serious. This bill will accentuate the evil. It is, of course, in keeping with the fanaticism of the times, in keeping with the dry policy of the present Federal administration. A policy founded upon the theory that our people are filled with vices that must be curbed and controlled and regulated by law. Jefferson was right when he said the Nation of few laws, the Nation whose laws are based on the virtues of its citizenship, to be the happiest and the best governed on earth. [Applause.]

It has been the proud boast of countless generations of statesmen in Canada and the United States that for nearly 140 years peace has reigned along the 3,000 miles of border that separates these two friendly countries. During all this time, in friendly relation and happy concord, the citizens of both countries have carried on their business with mutual advantage and success. Why should we now violate the traditions that animated our forebears, and as a result of prohibition, erect an armed barrier of a military nature along this otherwise peaceful frontier?

Surely we can not expect this new idea to be received with a friendly spirit by our northern neighbors.

In response to the request of the United States the Dominion Parliament some time ago enacted a law forbidding their nationals to ship contraband into the United States. We should appreciate this cooperation as an evidence of good will. From information given by the proponents of this bill, we already have on the Canadian border and on the Mexican frontier more than fifteen hundred men, uniformed and armed. Now it is purposed in this legislation to increase this number by another thousand, who will similarly be uniformed and armed. This is to my way of thinking very poor appreciation for the cooperation that our neighbors to the north have shown in the legislation that has been passed in the Ottawa Parliament. Representing as I do the great city of Buffalo, bordering on Canada, and with my knowledge of the splendid citizenry across the border, I am impelled to resist legislation of this kind.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MILLIGAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, ladies and gentlemen of the committee, I think this bill was not scientifically drawn or prepared. I do not believe the bill was given any thought or consideration, and no attempt was paid to what the effect of the language in the bill would be. Following up subdivision (b) of section 3 of the bill, we find that any person who violates the provisions of that section shall be guilty of a misdemeanor and subject to a penalty of \$100. In addition thereto, a lien is placed upon his property. In other words, this defendant will be placed twice in jeopardy.

Coming right down to the sum and substance of it, I venture to say that the committee has given very little thought to the whole bill, and I am prepared to convince the gentlemen, if they want to be convinced, that they are going in the wrong direction. Not only that, but I am prepared to criticize the bill from the majority report. I hope the committee has given some consideration to this, as they have to other legislation, but they say in the report that we will need about 2,495 men to patrol about 6,000 miles of border; 3,000 miles on the Canadian side and 3,000 miles on the Mexican side. It is contended that 2,495 men will do this great job. Did these gentlemen ever take a pencil and paper and go back to an old public-school arithmetic and endeavor to find out what number of men it would really take? It would take 15,000 men, placing 10 men to each 25 miles. In other words, if you put 10 men to patrol 25 miles, it will take 15,000 to 16,000 men, one for each 2 miles, to patrol the borders.

Mr. O'CONNELL. Well, at the rate we are going we will get those eventually.

Mr. DICKSTEIN. They will have to do it if they want this so-called border patrol, because the fact of the matter is that every citizen, whether child or adult, who happens to be with an automobile three or four hundred miles away from the border line will have to come to the destination designated by the President of the United States, and if he does not, that citizen will be a criminal and subjected to all the criminal laws.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield there?

Mr. DICKSTEIN. Yes.

Mr. JOHNSON of Washington. I think it is but fairness for the gentleman to say that there are great stretches of this border which can not be passed by people in vehicles, with the Rocky Mountains on the north side and desert on the south side.

Mr. DICKSTEIN. The Committee on Immigration had this bill under consideration for some time. It had some constructive ideas, but there is not a single constructive plan connected with this particular bill. I think the committee knew too much about the situation.

You say that 2,495 men shall protect the border. Is there a man on the committee who can point out to me how 2,495 men can patrol 6,000 miles of border? It is a farce and a joke to say, "Gentlemen, you do not want to give relief to the veterans of the World War; you do not want to help the farmer, unemployment, uniting of families of citizens of the United States; what you want is to enforce prohibition, which is humanly impossible." [Applause.]

Now, on the other hand, in addition thereto, you are placing two penalties on the violator of the law. In addition to that you are placing a lien upon his chattel. And certainly you will have to have a lot of trained Indians down there to prevent anybody going by without stopping, right or wrong.

Experience has taught us a bitter lesson in this prohibition craze. Last week my friend from Wisconsin [Mr. SCHAFER] said that he preferred that the American farmer should have the privilege of being a bootlegger instead of the foreigner having that privilege. I am inclined to agree with him if that is going to help the farmer.

If you want to patrol your borders you have to create 15,000 to 20,000 jobs along the borders, and then you will only have one or one and a half men to a mile.

This country presently by appropriations passed by Congress has a great burden to carry financially. Prohibition has received every benefit within the gift of the people of the country by appropriating millions and millions of dollars to enforce the eighteenth amendment. Up to the present time and after 10 years of constant experience the jails are filled with violators of the prohibition law, disrespect for law; young boys and girls in the respective schools and elsewhere are using liquor freely, with thousands of people dying from poisoned liquor and millions of dollars' worth of property being destroyed. How long can the taxpayer support a proposition which by instinct and by nature could not be enforced? It is needless for me to tell you to read the hearings before the Judiciary Committee, and you will be convinced that prohibition is a failure, and to give you the latest on that question you will read in the New York Times of July 1 a statement made by Major Campbell, in charge of the New York office, recommending a repeal of the eighteenth amendment.

Mr. HOCH. Mr. Chairman, I yield to the gentleman from Michigan [Mr. CLANCY] 10 minutes.

Mr. MILLIGAN. Mr. Chairman, I also yield to the gentleman from Michigan 10 minutes.

The CHAIRMAN. The gentleman from Michigan is recognized for 20 minutes.

Mr. CLANCY. Mr. Chairman and colleagues, this is a tremendously important bill. It vitally affects 50,000,000 passages and liberty of American citizens to cross the borders, Mexican and Canadian. The statistics come from the Department of Labor and from our former colleague, Commissioner General of Immigration Harry Hull. That statement does not necessarily mean that there are 50,000,000 different persons crossing the border each year, but 50,000,000 passengers. Some of those people pass back and forth each day, each week, each month, some once a year.

I do not object to the unification of the border patrol to include the present customs border patrol and the immigration border patrol. But I do object to certain sections of the bill. It is true, although gentlemen may try to make you believe to the contrary, that many customs men and many immigration men are lukewarm, if not hostile, to the amalgamation of the services.

You are students of government, and you know how often it has been tried in the history of local government to amalgamate the policemen and firemen in towns and cities. Firemen between fires have leisure. Why not have them then perform police functions? Why not have police help fight fires? That was the argument, but the union of the two forces failed because the functions are so different.

#### ORGANIZED LABOR FLATLY OPPOSES THE BILL

Yesterday the gentleman from Kansas [Mr. HOCH], who has the bill in charge, sought to minimize the opposition of the American Federation of Labor to this bill.

When I was trying to get further consideration of this bill in the Rules Committee some gentlemen of standing to whom I went turned a deaf ear to me because they said "only bootleggers are opposed to this bill," whereas thousands of excellent citizens and the American Federation of Labor were registered in the hearing as opposed.

I also inserted in the RECORD some days ago a list of public officials and prominent citizens opposed to the bill. None are "bootleggers."

The gentleman, Mr. HOCH, rather adroitly tried yesterday to minimize the opposition of the American Federation of Labor and its legislative representative, W. B. Roberts, who appeared at the hearings. Mr. HOCH's statement confused some members. Fortunately we did not decide the question last night, and now Members can not vote under a false impression.

I got in touch with Mr. Roberts and I have now a letter, not from Mr. Roberts himself, for he is already strongly registered, but from William Green, president of the American Federation of Labor, in which, after reviewing the testimony of Mr. Roberts, he said, "After careful consideration which the American Federation of Labor gave the bill, we feel that the proposed bill for unified border patrol will not give the relief we desire"; and he again registered opposition to the bill. He quotes what Mr. Roberts says about it being a prohibition measure, and then he says:

The American Federation of Labor has for many years urged restriction of immigration. At the present time, because of the number of unemployed, it is absolutely necessary that Congress should take some action that would reduce the number of immigrants coming into the country, especially from Mexico.

We feel, however, that the proposed bill for a unified border patrol will not give the relief we desire.

Herewith I insert in full the letter from Mr. Green to me:

AMERICAN FEDERATION OF LABOR,  
Washington, D. C., June 30, 1930.

HON. ROBERT H. CLANCY,  
House Office Building, Washington, D. C.

DEAR SIR: From the statement you made over the telephone I understand that there is some doubt as to the attitude of the American Federation of Labor toward a unified border patrol.

The following statement made by Mr. Roberts, legislative representative of the American Federation of Labor, before the Interstate Commerce Committee is the attitude of the American Federation of Labor:

"We are opposed to this unified border patrol, because we fear it has only one purpose—to enforce one law. We have fought for years to get a border patrol to protect us from an influx of immigration without avail, but now we consider that the whole purpose of this bill is just merely to have another border patrol to enforce the prohibition act, and I think the immigration act is just as important, if not more so."

The American Federation of Labor has for many years urged restriction of immigration. At the present time, because of the number of unemployed, it is absolutely necessary that Congress should take some action that would reduce the number of immigrants coming into the country, especially from Mexico.

We feel, however, that the proposed bill for a unified border patrol will not give the relief we desire.

Yours respectfully,

WM. GREEN,  
President American Federation of Labor.

Thus organized labor renews its opposition to the bill as a prohibition measure.

#### PLAINLY A PROHIBITION MEASURE

That should be a complete answer to all the gentlemen who are trying to make you believe that this is an immigration measure. Labor is very hostile to smuggled aliens. This is an Anti-Saloon League measure.

Hon. Ogden Mills, Undersecretary of the Treasury, who sponsored the bill, said in the press last year that they were going to close the Canadian border to liquor. But since then the sensational annual convention of the Anti-Saloon League was held in Detroit, where the general superintendent, Dr. F.

Scott McBride, said that "the Anti-Saloon League was born of God and was being led by God." Then he demanded \$50,000,000 to take care of Congress and the State legislatures in the next few years.

He really asked a lobbying and "political corruption" fund. Then we had hearings in this House on my bill to repeal the eighteenth amendment and a few modification bills. Then there was a Literary Digest poll.

A tremendous wave of opposition to prohibition thereupon demonstrated itself in this country. Now the bill's advocates are dodging and squirming and trying to say it is not a prohibition measure. But it is, and a typical one, terribly cruel and unjust.

#### DOCTOR HOLSAPLE ASKS MY VOTE

I have in my hand a telegram from the superintendent of the Anti-Saloon League of Michigan, Dr. R. N. Holsaple. In our State he is a notorious man. He pleaded for the release by parole of his brother-in-law who was twice confined in a prison as a bootlegger, and yet urged that an old woman with several children be given life in prison for four sales of gin. She actually was sent to prison for life. He said they unanimously voted indorsement of Hudson border patrol bill and urged my support of the same by influence and vote, even when in its bad shape and not amended, as it will be. Doctor Holsaple was accused by the dry Governor of Michigan and 15 members of the State legislature of falsifying about their records.

Mr. O'CONNOR of New York. He sent that to you?

Mr. CLANCY. To all the members of the Michigan delegation, I believe. A Senator and another member told me they received a similar telegram.

Mr. O'CONNOR of New York. It seems that is a waste of money.

Mr. CLANCY. That is a waste of money to send such a telegram to me. But they have wasted thousands of dollars in the past few years and will continue to do so. Then they have tried to drag in the President as desiring this bill exactly as it is now.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CLANCY. I regret I must refuse to yield.

#### DO NOT BLAME PRESIDENT HOOVER

What did the President say about the unification of the three border patrols? Here it is in his message to Congress, December 3, 1929:

I would add to these recommendations the desirability of reorganizing the various services engaged in the prevention of smuggling into one border patrol under the Coast Guard. Further recommendations upon the subject as a whole will be developed after further examination by the Law Enforcement Commission, but it is not to be expected that any criminal law will ever be fully enforced so long as criminals exist.

That is all; just that and no more from the President.

The reference to criminals is strange, because the President did not recommend nor contemplate making criminals of innocents. This bill makes criminals out of innocent people living on the borders who have had free passage for 116 years on the Canadian front and since 1848 on the Mexican border. The bill works sin and crime, and also it gives power to the Department of the Treasury—power by regulations—to get them out as far as possible from under the cloud of sin and crime in which they have been enveloped by the bill. We will prove the latter is not possible, and the taint must remain on millions if the bill is not changed.

Now, the President seems to have been persuaded to recommend the Coast Guard as a border patrol, as the Hudson bill originally demanded. The House Interstate and Foreign Commerce Committee considered this. What did they do then? The gentleman from Kansas [Mr. HOCH] admitted yesterday that they could not violate the treaty with Canada by putting a strictly military force on the Canadian border.

We have encountered opposition time and again to propositions to fortify the Canadian border or to unduly strengthen our armed or military forces there.

Placing of these two patrols as Coast Guard units meant the establishment of numerous barracks on the borders, meant drills, and it meant an enlisted military force and other military activities. All that violated our relations with Canada and Mexico.

So the Hudson bill for the Coast Guard patrol was killed by the two House committees' objections. The joining of the agriculture border patrol feature was also rejected. Do not blame everything bad on the President.

The President has enough burdens without attributing the "new crime" idea and the "closed borders" idea to him, as now included in this bill.



He probably desires unification of the two border patrols, but he surely does not want any bad features. Perfect this bill now. Amendments will be suggested striking out sections of this bill which are harmful. One is aimed to alleviate the great distress caused to innocent small boat owners. He forced the Treasury Department and sponsors of this bill to accept that amendment.

#### OUR FOREIGN RELATIONS SCORNED

Andrew Mellon, in his letters to the Immigration Committee and the Committee on Interstate and Foreign Commerce, said:

Work must be done in harmonious cooperation with our neighboring countries and their consent obtained as a matter of courtesy.

That is a most obvious suggestion to anybody who is familiar with border conditions. In this bill we close the open border against Canada and against Mexico. That is a new idea. It is a violation of the state of amity and friendship which has existed during all of these decades.

As the gentleman from New York [Mr. MEAD] has just said, when we dedicated the international bridges at Buffalo and Detroit, and the international tunnels, statesmen from both countries came and congratulated one another that the Canadian was not a closed border, such as prevailed between European countries, and caused these clashes, suspicions, hatreds, and hardships on innocent persons.

But now, as set forth in the hearings, Mr. Alvord, the Treasury Department legislative expert, is forced to admit they will have to go probably to the "card permit" system of European countries.

#### COMPULSORY REGISTRATION OF AMERICANS

The "card permit" system is a passport system. It forces voluntary and really—as a fact—compulsory registration of millions of border American citizens. But, even worse, the American citizen not living on the border is out in the cold. No "card" system is discussed for him.

Canada has been good to us. She has cooperated with us. I talked with a high American customs official as to what effect Canada's embargo on liquor to us would have. He said: "We can now take off a lot of the border patrol in Detroit." The bootleggers are selling their boats. The Canadian Government seized some bootleggers' boats the other day because they could not pay the wages of their employees. The border is virtually closed, by the recent Canadian order, to rum-running now at Detroit. The price of a quart of whisky in Detroit has risen \$2 or \$3, and it will rise more probably before long. The bootleggers are going out of business, not so much because the American border patrol has put them out of business but because the Canadian patrol is doing it. Hon. Ernest Camp, former Commissioner of Customs, said some time ago at Ottawa before high Canadian officials that about 90 per cent of the American border patrol was at that time crooked or inefficient. They were made so by a bad law, the eighteenth amendment. On the other hand, good Canadian liquor laws have kept the Canadian police remarkably honest and efficient.

Now, how can Canada get back at us if we offend or injure Canadians?

#### CANADA CAN STRIKE BACK

If we compel the issuance of a passport or card or permit to innocent Canadians living on the border, Canada can make us when in its country, furnish them with a card of identification or a permit or a passport.

The relations between the Canadian, Mexican, and American Governments as to radio are very delicate. The countries are negotiating as to a fair use of the air for radio. I am on the House committee handling radio and know that the United States wants as much of the broadcasting waves and short waves and power and channels as it can get.

Canada controls the supply of the world's nickel which we need in our iron and steel and other industries. It controls the supply of wood pulp which our newspapers need for print paper. It controls the Newfoundland and Alaskan fisheries. So we have to live in peace with Canada, and that goes for Mexico, too.

Less than one-half of 1 per cent of the liquor consumed in the United States comes from Canada and Mexico. Why make the border passage so drastic for one-half of 1 per cent?

#### ENFORCEMENT PRACTICALLY IMPOSSIBLE

Now, I would like to go into the provisions of this bill from their administrative and enforcement aspects. I do not believe that even its sponsors are satisfied in their hearts that the administrative provisions are enforceable or workable. These provisions present impossible situations and insurmountable grants of power to patrolmen and subordinate officials.

This bill has been kicked around for five or six years, and many Federal officials are not satisfied with it. The House Immigration Committee members have registered some hostility

toward it. But it should be laid down as a fundamental principle of political science that the legislative branch of the Government should not throw at the administrative branch a law which is half-baked and which can not possibly be enforced, even with terroristic methods and eventualities.

#### GREAT WATER BORDERS IGNORED IN HEARINGS

There is nothing in the hearings as to the effect of this bill on boats and vessels and navigation on fresh and salt water, except one brief passage that the bill would affect Atlantic and Pacific boats. The Great Lakes and rivers and the Rio Grande border were ignored entirely. Merchandise running into billions of dollars and over a hundred thousand small boats, including canoes, row boats, yachts, and motor boats, big vessels, and millions of American passengers were affected by the bill. But all these were overlooked in the hearings.

I now point to this map of Detroit and the picture of its great water front. Please note the marvelous sky line with its rows of skyscraper buildings. It looks like the water front of New York City, where the great ocean liners have their wharves.

Please note some of the huge vessels, just a small part of the grandest fleets of fresh-water boats in the world. There are but a few ocean vessels larger.

"Dynamic Detroit" is the fourth largest city in our country, and it stands for making life easier and happier for all mankind.

#### DRYS HATE BIG CITIES

The gentleman from Kansas [Mr. HOCH] and the gentleman whose name this bill bears, Mr. HUDSON, of Michigan, apparently do not think so much of this city. You remember the Hoch alien amendment bill which they forced through the House last session and which we big-city Members finally killed. It meant that Detroit would be deprived of one Congressman. I do not like to say that the bill aimed to "steal" one Congressman, because that is a rather harsh word, but under that Hoch bill Detroit would have been unjustly deprived of one Congressman. The drys put through this alien bill to deprive Detroit of its just rights. Now, the only way we could defeat that bill was to tack on the reapportionment bill the Tinkham bill. Some did not want to do that, but they had to fight fire with fire. I voted for the Tinkham bill.

Now, here is a picture of a fleet of the greatest passenger steamers in the world plying fresh water. When these 7-deckers swing out from their docks they go into Canadian territory. That river is only 2,500 feet wide at this point, and the Canadian border is 1,250 feet out from that dock. When a boat swings out into that river it enters Canadian territory and it passes through Canadian territory again at Lime Kiln Crossing, about 20 miles downstream.

The boats in the St. Lawrence go through Canadian territory. That great fleet of Great Lakes oil carriers, wheat carriers, and coal carriers, and ore carriers violate the provisions of the Hudson bill when the boats making up those fleets go on the Canadian side of Great Lakes rivers. They violate the provisions of this Hudson bill which provide that any person returning to the United States from a foreign country must report at a designated point of entry.

Now, for a little history of navigation laws. Some prominent statesmen of this House, the late lamented Republican leader of the House, Mr. Mann, of Illinois; Mr. Alexander, of Missouri, who was afterward Secretary of Commerce; and Mr. Redfield, former Representative from Brooklyn and also former Secretary of Commerce, had passed through Congress a specific law covering all that region to which I point on the map, that 1,500 miles of Great Lakes boundary, making it unnecessary for small boats under 15 tons burden to report. Later the work was completed by two sections of the tariff bill, which has just been considered again by the House, the Senate, and the President, and which is again the law. The acting chairman of our Merchant Marine and Fisheries Committee, Mr. LEHLBACH, will present an amendment which I have prepared which will safeguard those navigation and tariff laws which protect those innocent people. I have forced some protection for these 100,000 small boats.

#### SMALL BOATS FAIRLY WELL PROTECTED

As a result of my campaign of the past few weeks against unfair and unwise provisions of this Hudson bill, the House Interstate and Foreign Commerce Committee and the Treasury Department agreed to submit an amendment specifically instructing the Treasury Department to make regulations for the "convenience" of these small boats, their owners, and their passengers.

I had a specific statement from them that the regulations would not be aimed to "inconvenience" these innocent persons.

I also had the promise of the Member in charge of the bill, Mr. HOCH, that he would arise and state for the record that



it is not the intention of the framers of the bill to compel small boat owners to register with any Government agency any more than they now do, and also that they would not be compelled to report if they do not bring back merchandise or aliens.

Mr. HOCH and the Treasury Department and the legislative agents who drew up this bill also emphatically stated that it is their belief that this Hudson bill does not repeal the navigation law of 1912, Revised Statutes 4218, nor the two tariff laws under discussion. That should be considered when the law is being enforced and administered, if the bill does become law.

Personally I am quite convinced that the bill does repeal the above three laws if passed as it is, for it is a well-known rule of law that a new law repeals all existing laws with which it conflicts. I believe this Hudson bill certainly conflicts with the aforesaid three laws.

There can not be much doubt that it gives the Treasury Department the power to make regulations on small boats which under these three laws were exempt from such regulations.

I fear to leave the small boats at the whim or caprice of the Treasury Department. Some day a Secretary of the Treasury may be appointed who is a dry fanatic and he may stretch these regulations to harass, embarrass, or persecute the small boats.

That is why I favor the Lehlbach amendment as against the Hoch amendment, because the Lehlbach amendment places right in the Hudson bill, exclusive of regulations later to be announced, the safeguards of the small boat owner.

#### BIG VESSELS ENDANGERED

Also the Lehlbach amendment is much better, because big boats, the great fleets of passenger and merchandise vessels, which must enter Canadian waters on their numerous voyages between American ports, are protected. The Hudson bill as it now stands and as it will be passed by this House makes it a crime, with the penalty of seizure and sale of the boat and cargo, even though the value is millions, if the vessel enters Canadian waters and then does not report at an American point of entry.

But one godsend is that these big boats are owned by great corporations, such as the United States Steel Co., the Ford Motor Co., the Detroit & Cleveland Navigation Co., and so forth, and they will compel the Senate to amend the bill for their protection, whereas we have won practically the battle for the little fellows, whom the dries would ordinarily ignore.

Wait until the Lake Carriers' Association gets busy on this bill in the Senate and then see what a different bill will be made—at least, that is my hope.

What about the land border? The residents there will be in pitiable shape if the bill is not amended to protect him, as it has been for the small-boat owner, whose protests I aroused and made effective.

#### LAND RESIDENTS ENDANGERED

The gentleman from Michigan [Mr. HUDSON] made the flat statement in the press that his bill will not compel registration nor permits for the border residents or other Americans. Right here in the hearings you find Mr. Alvord, legislative agent of the Treasury Department, who helped draw up the bill, admitting registration and permits. Did Mr. HUDSON read the hearings on his own bill? Why should he deny what is true?

Mr. Alvord tried to duck the question when it was put up to him as to how the Treasury Department aimed to handle border and nonborder people; they were going to take care of these people whose houses and farms and stores are across the border, and the gentleman from Oklahoma [Mr. GARBER], a friend of the bill, quite unintentionally I imagine, pinned him down in this way. I quote from the hearings, page 14:

Mr. GARBER. Have you given consideration the rules and regulations to be drafted by the President? \* \* \* Visualize to us now the rules and regulations that would operate in supplementing the patrol to be affected by this bill.

#### EITHER VOLUNTARY OR COMPULSORY REGISTRATION

Mr. ALVORD. If I could do that with any degree of certainty that would be sound, I would be very glad to. In my mind, in working on this thing, I have sort of a picture very likely for a farmer who has a lot of land on both sides of the international boundary, a very general provision saying that that sort of person can go ahead in the ordinary course of business without reporting when he comes back into the United States. If a general provision such as that will not work, I suppose you will have to come through with a scheme such as they have in foreign countries, where everyone carries a card of admission, carries that card on his person, and if he has that card he is permitted to go in. If he has not, and is caught going in at other than the designated point he is subject to arrest.

There is your reluctant admission that the bill compels, on pain of arrest and being dragged away many miles to a point of entry, voluntary and, in actuality, compulsory registration.

The card or permit or passport must be obtained, and, moreover, no matter how great the nuisance, always carried on the person, otherwise the often brutal and officious border agent will take the man, woman, or child to jail. The law is mandatory. You can not build enough jails on the border to house all the innocent men, women, and children.

There is your "European" or "Russianized" system Mr. Alvord admits, although Mr. HUDSON flatly denies it.

The American Federation of Labor, at its annual convention in Atlantic City in 1925, under the leadership of its talented and greatest leader, Sam Gompers, covered that point, opposing alien registration because it would eventually lead to American registration.

Mr. Gompers and the report said:

It is inconceivable that the American Congress will seriously consider legalizing an elaborate system of espionage, such as this measure (the Aswell alien registration bill) contemplates; nevertheless, we earnestly urge upon the executive council a continuation of its opposition, so that this dangerous proposition, anti-union and anti-American in principle, will not be written into law.

Yet the Congress is now enacting "an elaborate system of espionage" on the border.

Then further the report runs:

The American Federation of Labor is opposed to the registration of aliens proposal. If foreigners who come to this country are Germanized, it will not be long before the citizens of the United States will be compelled to register.

The American Federation of Labor refers to the Kaiser's system and I emphasize the Czar's and soviet systems.

Now, before I conclude I will yield to the gentleman from Kansas [Mr. HOCH]. Does the gentleman want to ask me about the matter of the Hoch alien amendment bill and its aim to cut down the number of Congressmen from big cities?

Mr. HOCH. I was just going to ask the gentleman if he favors counting aliens, men who have not sworn allegiance to this country, in determining the number of Congressmen a State should have and in determining the electoral vote a State should have?

Mr. CLANCY. Yes; I favor the counting of aliens, because the Constitution of the United States specifically provides for that and formerly the Constitution did for the counting of slaves. The principle is well recognized by court decisions and is fair. Those who oppose the Constitution on counting aliens and those who supported your bill did so frankly to deprive big cities of a number of Congressmen, to which they are justly entitled, and to give these Congressmen unjustly to the rural districts. The same people have aided in cheating Detroit out of three or four more Congressmen, to which Detroit has been entitled for the past 10 years.

The dries did that.

In turn I will ask the gentleman from Kansas [Mr. HOCH] a question that goes to the very vitals of our representative government. When he secured the passage of the Hoch alien amendment bill last year, myself and others immediately secured the passage of the Tinkham bill on the fourteenth amendment. That was the cold steel and the gentlemen and other dries were thunderstruck. They could not face the cold steel.

Is the gentleman from Kansas in favor of counting some 15,000,000 disfranchised negroes in the South for apportioning Congressmen, in strict violation of the fourteenth amendment? The effect is to give the dries many seats in the House to which they are not entitled. The gentleman knows the House finally compromised on both amendments by striking them both out on later votes.

Mr. HOCH. Oh, the gentleman talks about the Anti-Saloon League all the time, and I will say to the gentleman I never heard from the Anti-Saloon League, directly or indirectly, with reference to this measure; but I would assume they are in favor of a law the purpose of which is to help enforce the laws of this country.

Mr. CLANCY. Very well.

Mr. HOCH. That is as accurate as the other statements the gentleman has made. The Anti-Saloon League has no connection, in a direct or indirect way, with the apartment house in which I live.

#### MAKING NEW SINS AND CRIMES

Mr. CLANCY. Now, let us examine a little farther into the mean and wicked features of the crime sections of this bill. You will then realize more fully why I am insisting that the "new crime" features be stricken from the bill. I have no hope of getting the House to do this, for the word has gone out that the Anti-Saloon League wants the bill to include the "new crime" section.



Most theologians are benevolent, but some wicked theologians just dote on inventing new sins and new crimes. They like to throw humanity into a state of sin and then go through a rigamarole to get them out. This bill makes a new sin and the Treasury Department washes away the sin in theory. Hundreds of thousands of years before Christianity was established witch doctors, voodoo-spell workers, and medicine men gained tremendous power over their fellow beings by pretending to have control over good and evil "spirits" and the supernatural.

They made certain human acts, innocent in themselves, "taboo," and then the poor devil of a human being had to "cough up" to the witch doctor to get out from under. If one "scoffed" at the witch doctor or his works, the doctor "prayed" him to death. If the "praying" did not take, the poor wretch was put to the torture through the witch doctor's influence or a little poison was dropped into his food or drink.

Much of humanity has outgrown the witch doctor, but he still holds as much power as ever among certain savage tribes.

The student of the growth and development of these barbarous practices, so boldly put into effect among untutored savages, can see the parallel in certain tricks and "rackets" worked by the Anti-Saloon League.

Dr. F. Scott McBride, general superintendent of the Anti-Saloon League, was playing the witch-doctor game when he boldly declared:

The Anti-Saloon League was born of God and is being led by God.

Dr. Clarence True Wilson gives the ancient lines when he continuously demands that "the fear of God" be put into the opponents and scoffers of the Anti-Saloon League. That terrible phrase has been used throughout the ages to put many an innocent man, woman, and child to torture and to death. The good doctor also yells raucously for the horrors of martial law to be put on the civilian population of the great States of New York, Maryland, and any other people of the Union who vote against a State prohibition enforcement law as the aforesaid two States did.

#### THE FEAR OF GOD SCOURGE

The theologians of the Middle Ages used the invention of witchcraft to put "the fear of God" into scoffers. Witchcraft, of course, was an ancient subterfuge as old as the race. It involved the crime of persons talking to or communing with good or evil spirits, and, of course, had no foundation in fact. But in the witchcraft craze fostered by wicked theologians a terrific toll of innocent lives were taken and many innocent persons were maimed for life by being put to torture.

Even after Columbus discovered America witchcraft persecutions raged, and in one period after Columbus historians estimate that 1,400 innocent women were burned at the stake or put to death in a horrible manner. Every school boy and girl knows how the witchcraft persecutions raged in New England.

With that background in mind now let us again take up the further examination of this bill so fondly desired by the Anti-Saloon League because it sponsors a artificial crime and gives an opportunity for the arrest and jailing of millions of innocent men, women, and children.

#### THE ARREST ON SUSPICION

We are indebted to the very able gentleman from Missouri [Mr. MILLIGAN], one of the subcommittee of three handling the bill in one of its stages, for light on the new departure in American Federal law, the "arrest on suspicion." This means that almost anybody on the border can be thrown into jail under the Hudson bill and held indefinitely until another offense, other than mere border passage, can be proved against him, unless the offender is smart enough to get a writ of habeas corpus.

I will give the brief passage of the hearings on pages 18 and 19, setting forth the dialogue between Messrs. MILLIGAN and Alvord. Please note that at first Mr. Alvord maintains that even the writ of habeas corpus, the noble weapon forged by the human race to combat tyrants, will not work against his scheme, which "we had to scratch our head to concoct," and for which he admits there is no other parallel in American criminal law. Thank God for that, and if the Senate does its duty, this dastardly section of the Hudson bill will be stricken from it!

Here is the ominous passage:

Mr. MILLIGAN. Is not that very unusual, section b on page 2? You arrest a man for a misdemeanor and then you try him for an entirely different crime?

Mr. ALVORD. That probably is not unusual. Persons are frequently arrested for one offense and by the time they are ready for trial or for commitment they decide to change the offense.

Mr. MILLIGAN. You arrest him not with the intention of trying him for that offense. You arrest him merely to take him into custody so that you can try him for some other offense?

Mr. ALVORD. That I think is right.

Mr. MILLIGAN. Is not that rather unusual?

Mr. ALVORD. It may be somewhat unusual.

Mr. MILLIGAN. Suppose you arrest a man and then he would sue out a writ of habeas corpus?

Mr. ALVORD. I doubt if the writ of habeas corpus would lie because he was lawfully arrested.

Mr. MILLIGAN. He can sue out a writ of habeas corpus in any case, whether he is guilty or innocent?

Mr. ALVORD. That is true.

Mr. MILLIGAN. He sues out his writ and then you contend that he has violated this section because he did not go to a certain point. Then you take him back and try him for an entirely different crime?

Mr. ALVORD. Of course, you can try him for this.

Mr. MILLIGAN. But that is not the intention.

Mr. ALVORD. And that would be the issue on the petition for the writ.

Mr. MILLIGAN. Certainly it would be the issue that he has violated this provision, but the real intention is to try him on an entirely different offense. Is that true?

Mr. ALVORD. That is true. As I see this thing, the real purpose of it is to try him for some other offense. If he has really committed a serious offense against the customs or the immigration, he should be tried for that, and if he has not he ought not to be tried for this, I would say.

Mr. MILLIGAN. The real intention in arresting him is to investigate.

Mr. ALVORD. That is it.

Mr. MILLIGAN. Is there any other law with a similar section in it?

Mr. ALVORD. I do not know of any; no, sir. We had to scratch our head to concoct a means of getting ample power there. I think this does it.

The Anti-Saloon League has long tried to break down the Bill of Rights of the American Constitution, and has especially assaulted the provisions guarding the individual against being molested in his home and of his being arrested or jailed on pretexts. Particularly in Michigan we have had for some years Dr. R. N. Holsapple, head of the Michigan Anti-Saloon League, who advocated "smell" and "snooping" laws and the imposition of cruel, unusual, and excessive punishments.

Now here in the Hudson bill, named after a man who was formerly the head of the Michigan Anti-Saloon League and the predecessor of Doctor Holsapple, we have the principle of "arresting on suspicion" well on its way to adoption by the House, for I have no hope of killing the crime sections of the bill in the House.

No wonder Doctor Holsapple sent me an imperative telegram the other day to support the Hudson bill; vote for it and work for it as it came on the floor, even before it gets the humane amendment guarding in a way against the persecution of small boats.

Here is a bill which would delight the soul of your 100 per cent witch doctor or your witchcrafting theologian.

That is what tyrants have always done; arrest on suspicion and fill the jails to overflowing. Let the poor wretches scream! The Nero, the czar's secret-service agent, the big tyrant, and the petty tyrant must have his fun.

The French Revolution and the Russian Revolution are no lessons to the tyrant. The French celebrated their Fourth of July the other day. They set their national holiday on the day the French people captured their notorious jail. The fall of the Bastille! What volumes the phrase spells on the infamous doctrine of "arresting on suspicion"!

"Exiled to Siberia" and "Down with the czar"! How eloquently do these phrases ring out to the student of constitutional history and the lover of personal liberty. How many poor innocent wretches were "arrested on suspicion" by the secret police who swarmed everywhere and were sent to torture and often to death before the people got their hands on the czar and his racketeering theologian, Rasputin, who, if he had lived in this country, would undoubtedly have forced his way to leadership of the Anti-Saloon League.

Now, in the name of sacred prohibition you are putting across this bill providing for "arrest on suspicion" and "arrest for an innocent act," the mere crossing of the border which has never heretofore been a crime for the millions of Americans who have done so yearly.

In the closing hours of the Congress, under the whip and spur of a rule which allows us only half an hour of opposition to the bill under debate of the bill and then an hour of time in all for the opponents to show up the weak spots; under these handicaps and under the lash of the Anti-Saloon League the bill is being rushed through.



## LEAVE IT TO THE SENATE

Thank Heaven this bill will get adequate consideration in the Senate, both in hearings and on the Senate floor. Both Michigan's Senators have promised that, both Senator COUZENS and Senator VANDENBERG, and I know they will keep their word.

Again I say I am making record not for the House but for the Senate. If you will further amend this to-day, before it is too late, by striking out the four crime sections and accepting my substitute for these sections, then the bill will not be such objectionable legislation. You will have your unification of the border patrol, as requested by the President, and you will not have duplication of work by the customs and immigration border patrols.

Do not blame the "new crime" features of this bill on President Hoover. He did not ask you to put in these crime sections. He merely asked for the unification of the border patrols. You did not include the Agricultural Department patrol, nor did you give the work to Coast Guard patrols on the border, as probably contemplated in the President's message. Neither proposal was feasible, and the President expected you undoubtedly to do your duty. He would undoubtedly expect you not to put bad features into the unification legislation. You can not hide behind his mantle or message in putting over bad legislation.

I now give my amendment which will cure this bill of most of its mean and vicious features. The House sponsors of this bill say they will kill this amendment but I hope the Senate adopts it. It is as follows:

Amendment offered by Mr. CLANCY to H. R. 11204: Strike out sections 3, 4, 5, and 6 and insert in lieu thereof the following:

"Sec. 3. It shall be the duty of the United States border patrol to perform, under regulations that may be prescribed by the Secretary of the Treasury, such duties as are, in his judgment, advisable in connection with the unlawful entry of persons or property into the United States.

"Sec. 4. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this act."

If you will strike the crime sections out of this bill, then it will not be such objectionable legislation. You will have your unified border patrol as requested by the President. You will not have the immigration and customs men duplicating their work on the border. But remember, if you insist on the "new crime" sections you are putting violent men on this border. One of them at Detroit went 150 yards into Canadian territory not long ago and shot a Canadian named LaFramboise. Various members of the Canadian Parliament arose in Parliament at Ottawa and thundered against "this hypocritical nation to the south which was invading Canada and imperiling the lives of Canadian citizens."

Two of the Canadian members of Parliament who protested were Colonel Robinson and Hon. Eccles Gott, who represent Detroit river constituencies.

I will not stop to give any details of the murders, outrages, brutalities, excesses, grafting, and invasions of Canadian neutrality by border prohibition agents and officials. Every reader of the newspapers knows that bloody, turbulent record on the borders during the past few years.

But, remember, it is that type of armed agent or patrolmen to whom you are entrusting the tremendous powers granted by this bill, and in many cases, where he is on his own, far from the restraining influences of the point of entry, supervising force.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MILLIGAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Chairman, I am opposed to the so-called border patrol bill. It will, in a word, provide for the setting up of an organized, armed, military border patrol between this country and Canada and this country and Mexico. We seem bent upon marring peaceful relations between Canada and ourselves, first by setting up high tariff walls against products from the Dominion, and second by the contemplated restrictive immigration statutes.

Mr. CULKIN. Will the gentleman yield?

Mr. CELLER. In just one moment.

We are constantly irritating the Canadians. We fire upon their ships, and prohibition zeal often brings about occasions like that of the *I'm Alone*, where our Coast Guard ruthlessly fired beyond the 12-mile limit, sank a vessel of Canadian registry, and imperiled on a high and windy sea the lives of the crew of the *I'm Alone*. We chase Canadian citizens across the border; we search them, with or without color of authority, and at Rouses Point and elsewhere we indecently frisk them for flasks of liquor. Now we are to station at various points gen-

darmes. Traveling through Europe one is compelled constantly to pass the barriers of gendarmes when crossing the various borders. We would now import gendarmes and set them up along our Canadian and Mexican borders.

This bill is simply a stalking-horse for prohibition enforcement. All this talk about immigrants getting across the border illegally and about getting by customs barriers is all "hokum." Our customs and immigration laws are now adequately enforced. Thus prohibition raises again its ugly head—again we are asked for more statutes, more money, to make a rope of sand to enforce that which is unenforceable. Is there to be no limit to prohibition grotesqueries? How long shall we continue this great American farce? Even the President is persuaded to play a part in the prohibition comies that ill becomes him.

The House and Senate have cut down appropriations for the Wickersham commission, so as to limit the work of that commission to a study of prohibition enforcement. The President is not satisfied and would use private funds if he can not get public funds to continue the work of this commission, which has become quite hateful to most Members of both Houses. He has, however, no right to employ private funds for public purposes. On this point I quote section 665, title 31, of the United States Code, Annotated:

Expenditures in excess of appropriations; voluntary service forbidden; apportionment of appropriations for contingent expenses or other general purposes. No executive department or other Government establishment of the United States shall expend in any one fiscal year any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law. Nor shall any department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property.

The President would thus embark upon a dangerous experiment. What would prevent a coterie of rich men from becoming a sort of supergovernment, to enforce their will by lavish expenditure of funds upon an unwilling nation. The use of private money to investigate prohibition under Government auspices is but one step to the use of private funds for Government enforcement of prohibition.

Ex-Governor Pinchot of Pennsylvania, in 1923, was refused \$250,000 for prohibition enforcement by the Pennsylvania Legislature. Immediately the Woman's Christian Temperance Union of that State announced that its organization would raise the required amount through the churches and the Sunday schools, and moneys were raised in this fashion and turned over to Governor Pinchot for the purpose of enforcement. This method of allowing a private organization, like the Woman's Christian Temperance Union, to raise and expend funds for a public purpose was scandalous. If they raised a quarter of a million dollars, they had a right to determine the method of expenditure and the method of enforcement.

Once before Mr. Hoover grew impatient with Government regulations, and when he was United States Food Administrator arranged to have a large portion of his work, as he saw fit, administered and conducted through State organizations, under the direction of volunteer appointees, designated as Federal food administrators for the respective States. He desired to have these State administrators advance the expenses of their State organizations by making payments for rent and salaries out of their own pockets and then have them submit receipts or other evidence with a statement to Washington for reimbursement from the funds of the United States Food Administration. He tried to get the Comptroller of the Treasury to recognize and order payments to these respective State administrators for the moneys that they advanced, admitting at the same time that the procedure involved certain irregularities as to form. The Comptroller of the Treasury rendered a decision, which is to be found in volume 24, Decisions of the Comptroller of the Treasury, September 5, 1917, wherein the Comptroller very rightfully pointed out that—

Congress has found it necessary from time to time, in protecting the interests of the United States, to enact certain general laws in the nature of restrictions on the use and expenditure of appropriated moneys. And it is the duty of the accounting officers to see that said laws are complied with. The money appropriated for the salaries and expenses of the Food Administration is subject to the requirements of these laws and must be disbursed and accounted for in like manner as other moneys appropriated by Congress.

In other words, the State administrators did not have the right to advance these moneys, because Congress made no appro-



priations to, and therefore did not give authority to such State administrators in the way that Mr. Hoover desired.

Congress exercises a sharp control over the executive branch of the Government by appropriations. The executive branch can not snap its fingers at Congress by saying: "If you will not give me what I want I shall get the money elsewhere."

To get back to the border control bill, another prohibition grotesquerie, I am unalterably opposed to it, if for the only reason that it will set up a military rule on our borders. And military rule between Canada and the United States is hateful to me.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOCH. Mr. Chairman, I yield the gentleman two minutes in order that he may answer a question. On what authority does the gentleman say that we are contemplating a military service on the border?

Mr. CELLER. On the authority of the hearings; you are setting up a patrol on the border, and it will be the opening wedge to a military patrol.

Mr. HOCH. The gentleman's statement is untrue, we do not set up any military service, nothing but what we have there now, a civil-service organization in uniform.

Mr. CELLER. I doubt very much whether that will be the situation one year from to-day.

Mr. HOCH. The gentleman may doubt it, but that is the fact.

Mr. CELLER. I do doubt it.

Mr. HOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. GARBER].

Mr. GARBER of Oklahoma. Mr. Chairman, members of the committee, the need for the proposed legislation grows out of the actual intolerable conditions along our borders. Information, therefore, relative to such conditions is essential to intelligent action in regard to the pending bill.

The gentleman from New York [Mr. O'CONNOR], in leading the opposition to the pending measure, stated that this was the first time in our history that it was proposed to place a uniformed, armed patrol upon our borders.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. GARBER of Oklahoma. I yield.

Mr. O'CONNOR of New York. The author of the bill said that it is proposed to put an army on the border.

Mr. GARBER of Oklahoma. I am not responsible for what any Member says. I am only responsible for the language in the bill and what it proposes to do. The border patrol was established in 1924, and it has been on the border ever since. It is on the border to-day, specially mandated to enforce the immigration laws of the country.

Mr. JOHNSON of Washington. And it is successful, too.

Mr. GARBER of Oklahoma. Undoubtedly. That organization is one of the most excellent we have in the civil service. It has accomplished much good, it has achieved practical results, and during the past few years it has turned back over 79,000 aliens who were unlawfully trying to enter the United States, in addition to many other results which it has accomplished in the field of law enforcement.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield for a question?

Mr. GARBER of Oklahoma. Yes.

Mr. DICKSTEIN. I agree with the gentleman on the question of this border patrol, but does the gentleman really believe that we can patrol a border of over 6,000 miles with 2,495 men? I am with the gentleman.

Mr. GARBER of Oklahoma. I am glad to have the gentleman with us on the proposition. He is with us on the question of reorganization also, is he not?

Mr. DICKSTEIN. I am with the gentleman on the question of reorganization, but the language of the bill is such that I object to it because it will make many honest citizens of the United States guilty of technical violations. Aside from that, does the gentleman honestly believe that 2,495 men in the border patrol, which has charge of immigration and customs and the rest, can patrol a border of over 6,000 miles?

Mr. GARBER of Oklahoma. There are about 5,000 miles of border to be served by the border patrol. In view of the results accomplished by this small, insignificant force that we already have in its turning back 79,000 aliens in three years who were unlawfully attempting to enter the United States, it seems to me that such result would warrant the attempt; and especially in view of the recommendations of all these various departments, these men who have been dealing with immigration for years, it seems to me that we are warranted in acting on their judgment.

The urgent need for this legislation has been clearly shown. What is proposed by this bill? What do we propose to do under

its provisions? In the first place we propose to gather up the scattered segments of the various organizations, and unify them, consolidate them into one compact organization in the Treasury Department under the administration of the Assistant Secretary.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield for information?

Mr. GARBER of Oklahoma. Yes.

Mr. DICKSTEIN. I have a friend who has property on the border line of the United States and Canada. If he should walk across into Canada he could not reenter his own property unless he went into a port of entry, and that is about 15 miles from there.

Mr. GARBER of Oklahoma. Read paragraph 1 of section 4, and you will find your answer to that question. Under the flexible provisions of the bill it is proposed to move the customhouses up on the border where they belong. The bill authorizes the President to establish additional points of entry, to convenience the traveling public.

#### THE CANADIAN BORDER

Exclusive of the Great Lakes, our Canadian border extends for a distance of 2,839 miles. Adjacent to and along that border we have 536 immigration patrolmen and 485 Customs Service patrolmen, making a total of 1,021 men patrolling that border, or one man to an average of 2 $\frac{2}{3}$  miles for a period of 24 hours. Adjacent to and along this border there are 150 customs ports, or one for the average distance of every 15.78 miles. Some of these customs ports are on the border while others are located at a distance varying from 2, 4, 6, 8, 10, 20, and even as far as 25 miles from the border at points in the interior.

#### THE MEXICAN BORDER

The Mexican border extends for a distance of 2,011 miles. Adjacent to and along that border we have 311 immigration patrolmen and 175 Customs Service patrolmen, making a total of 486 men patrolling the Mexican border, or one man for an average distance of 4.67 miles. Adjacent to and along this border we have 30 customs ports, some of which are located on the border, and others at varying distances therefrom, the average distance between these ports being approximately 71 miles.

#### PROVISIONS OF EXISTING LAW

Section 459 of the 1930 tariff act provides:

SEC. 459. Contiguous countries—report and manifest: The master of any vessel of less than 5 net tons carrying merchandise and the person in charge of any vehicle arriving in the United States from contiguous country, shall immediately report his arrival to the customs officer at the port of entry or customhouse which shall be nearest to the place at which such vessel or vehicle shall cross the boundary line or shall enter the territorial waters of the United States, and if such vessel or vehicle have on board any merchandise, shall produce to such customs officer a manifest as required by law, and no such vessel or vehicle shall proceed farther inland nor shall discharge or land any merchandise, passengers, or baggage without receiving a permit therefor from such customs officer. The master of any such vessel, or the person in charge of any such vehicle who fails to report arrival in the United States as required by the provisions of this section shall be subject to a fine of \$100 for each offense. If any merchandise or baggage is unladen or discharged from any such vessel or vehicle without a permit therefor, the same, together with the vessel or vehicle in which imported, shall be subject to forfeiture; and if any passenger is unladen or discharged from any such vessel or vehicle without a permit therefor the master of such vessel or the person in charge of such vehicle shall be liable to a penalty of \$500 for each such passenger so unladen or discharged.

Under the present law every vehicle entering across the border, regardless of whether it carries merchandise or not, must report to the customs officer at the nearest port of entry. With free permission to all parties to cross the line and with the customhouses stationed so far apart and at irregular distances inland from the border the ease for law evasion becomes apparent. For instance, a smuggler with narcotics, intoxicating liquors, or merchandise of any character crossing the border with intention of violating the law, when apprehended, merely states that he is on the way to the nearest customhouse. As the route to the nearest customhouse often necessitates miles of detour, who can dispute it? Here is the existing vice of the present law, which permits and promotes such violation and evasion.

At the same time citizens of the United States riding over their own highways several miles from the boundary, with no intention of crossing the border, are forced to experience the inconvenience and annoyance of search and seizure by the patrolmen.

Such are the conditions along the border under the existing laws and regulations.



## REMEDY PROPOSED IN PENDING BILL

The pending bill proposes to correct these intolerable conditions.

Section 1 designates the citation of the act as the "Border patrol act of 1930."

Section 2 (a) establishes in the Department of the Treasury an organization to be known as the United States border patrol and assigns its administration to the office of the Assistant Secretary of the Treasury. Paragraph (b) authorizes the President to transfer to the border patrol all or any part of the personnel of the existing border patrol of the Bureau of Immigration of the Department of Labor and of the Bureau of Customs of the Department of the Treasury or any other border patrol, together with their equipment, and to discontinue the existing border patrol or parts thereof from time to time when in his judgment such action is deemed advisable. Any unexpended appropriations for the existing patrol are transferred and made available for the expenditure under the reorganization.

Under paragraph (c) the Secretary of the Treasury is authorized to appoint such officers and employees as may be deemed necessary for the administration of the act, such appointments to be made within the competitive provisions of the civil service law. The Secretary is also authorized to purchase such equipment as may be necessary.

Section 3 imposes the duty upon the United States border patrol to enforce the provisions of the act against unlawful entry of persons into the United States except at ocean boundaries and to perform such other duties as may be deemed necessary under such rules and regulations as the Secretary of Treasury may prescribe.

Section 4 (a) provides:

It shall be unlawful for any person to enter the United States from a foreign country at any place other than a point of entry designated by the President, except that this section shall not be applicable in the case of—

(1) Any person who in entering the United States complies with regulations which shall be prescribed by the President for the convenience of persons residing or owning property on or adjacent to the boundaries of the United States.

(2) Any person who in entering the United States complies with the air commerce act of 1926 and the regulations prescribed thereunder.

The committee reporting the bill proposes to amend the above section by adding at the end of paragraph 1 of section 4 (a) the following:

Or for the convenience of persons entering the United States on vessels which under the laws applicable thereto are exempt either from reporting arrival or from making formal entry at a customhouse.

Paragraph (b) of section 4 authorizes any officer or member of the United States border patrol to arrest any person entering the United States in violation of the act and to seize any merchandise in the possession of any person entering the United States in violation of the act, or any vessel, vehicle, or aircraft, and directs the delivery of such person and merchandise into the custody of the officers stationed at a point of entry or elsewhere as the Secretary of the Treasury may by regulation prescribe.

Paragraph (c) of section 4 provides:

Any person who violates the provisions of this section shall be guilty of a misdemeanor and, in addition to all other penalties provided by law, be subject to a penalty of \$100. Such penalty shall be a lien against any vessel, vehicle, or aircraft in which the entry in violation of this section is made. Such penalty may be enforced, or may be remitted or mitigated, in the same manner as a penalty for a violation of the customs revenue laws of the United States.

Paragraph (d), section 5, provides for the forfeiture of any vessel or vehicle seized by the Treasury Department, which, upon application to the court, may be delivered to the department for use in the enforcement of the provisions of this act.

Section 5 authorized the necessary appropriations for the maintenance of points of entry, the acquisition of sites, construction of buildings, and for such other purposes as may be found necessary in the enforcement of the act.

Under the provisions of this bill the immigration patrol and the Customs Service patrol will be merged into one organization; that is, the border patrol. The points of entry, the customhouses, and the administration offices of the border patrol will be stationed on the border where they belong. The border patrol will simply patrol the border as police officers charged with the single duty of seeing that no one enters the United States except at a point of entry. At each point of entry will be stationed administrative officers having charge of the administration of the various border laws.

In fact, one administrative officer with sufficient clerical assistance might be able to administer the several laws. Any violators arrested would be taken by the patrol to the nearest administration office where all matters pertaining to the violation would be settled by a qualified, competent administrator.

In voicing his opposition to this bill the distinguished gentleman from Michigan said:

It closes the border against Canada and it does the same thing for our great neighbor on the south, Mexico.

At the present time we have 150 customs stations on the Canadian border. Under the tentative program of reorganization, it is proposed to establish 175 additional points of entry, making a total of 325 points of entry on the Canadian border. Instead of closing the border it opens additional roads across the border. Where we now have one road, we propose to establish two or more. Where the points of entry now average 16 miles apart, under the reorganization they will average only 7½ miles. Instead of apprehending innocent people in the interior, the apprehension will be upon the border and entry at any other point than at a point of entry will be prohibited. The distance to a point of entry for those crossing the border will be reduced more than one-half, so that instead of closing the border, as stated by the gentleman from Michigan, we are establishing additional points of entry for their convenience. Facts versus declamation!

In leading the opposition to the proposed measure the gentleman from New York said:

Now for the first time in 116 years it is proposed that we place an armed and uniformed force along those borders under the guise of controlling immigration, prohibition, and customs. Let us in calmness consider the need for such an extraordinary departure from our traditions.

The gentleman permitted that statement to stand in the revision of his remarks after having been informed that the facts were misstated.

The act creating the border patrol was approved May 28, 1924. It carried an appropriation of \$1,000,000.

The act of February 27, 1925, carried an appropriation for a similar amount available only for coast and land border patrol.

By General Order No. 42, dated December 11, 1924, issued by the Department of Labor, the patrol was required to wear uniforms.

By General Order No. 61, dated March 18, 1926, issued by the Bureau of Immigration, its purposes were succinctly stated as follows:

The border patrol is an auxiliary branch of the regular Immigration Service. The patrol is established primarily to prevent and detect the surreptitious entry of aliens into the United States. It will, however, aid in the enforcement of all Federal laws designed to safeguard our country against the introduction of contraband. The patrol will, in general, operate along and in the vicinity of the international and maritime borders of the United States.

## SEIZURES BY IMMIGRATION BORDER PATROL

Approximately 90 per cent of the personnel of the present patrol are war veterans, selected through the agency of civil service. They are well trained and efficient, and in spite of the handicaps under which they have been functioning with existing free entry across the border, and with a personnel decidedly deficient in numbers, they have achieved a remarkable record of law enforcement. The following figures show the seizures by the immigration border patrol during the fiscal years ended June 30, 1927, 1928, and 1929, as well as the necessity for such service.

Seizures by the immigration border patrol during the fiscal years ended June 30, 1927, 1928, and 1929

| Delivered to— | Persons apprehended | Automobiles |                 | Other conveyances |                 | Liquor               |                 | Miscellaneous contraband, estimated value |
|---------------|---------------------|-------------|-----------------|-------------------|-----------------|----------------------|-----------------|---|
|               |                     | Number      | Estimated value | Number            | Estimated value | Quantity (in quarts) | Estimated value |   |
| 1927          |                     |             |                 |                   |                 |                      |                 |   |
| Immigration   | 17,225              | 49          | \$25,565        | 29                | \$9,445         |                      |                 | 60  |
| Customs       | 1,173               | 446         | 175,961         | 195               | 24,385          | 102,159              | \$152,794       | 3,102                                     |
| Prohibition   | 232                 | 192         | 87,811          | 74                | 41,575          | 152,930              | 203,360         | 1,288                                     |
| Narcotics     | 10                  | 1           | 750             |                   |                 |                      |                 | 6,138                                     |



Seizures by the immigration border patrol during the fiscal years ended June 30, 1927, 1928, and 1929—Continued

| Delivered to—            | Persons<br>apprehended | Automobiles |                    | Other conveyances |                    | Liquor                     |                    | Miscellaneous<br>contraband, es-<br>timated value |
|--------------------------|------------------------|-------------|--------------------|-------------------|--------------------|----------------------------|--------------------|---|
|                          |                        | Number      | Estimated<br>value | Number            | Estimated<br>value | Quantity<br>(in<br>quarts) | Estimated<br>value |   |
| 1927                     |                        |             |                    |                   |                    |                            |                    |   |
| Agriculture.....         | 5                      |             |                    | 1                 | \$40               |                            |                    | 19  |
| Justice.....             | 191                    | 33          | \$21,200           |                   |                    |                            |                    | 14,923  |
| Army and Navy.....       | 106                    |             |                    |                   |                    |                            |                    | 1,142   |
| State and municipal..... | 440                    | 65          | 23,965             | 4                 | 2,550              | 8,524                      | \$9,850            | 4,015   |
| Total.....               | 19,382                 | 786         | 335,252            | 303               | 77,995             | 263,613                    | \$86,004           | 30,687  |
| 1928                     |                        |             |                    |                   |                    |                            |                    |   |
| Immigration.....         | 23,896                 | 29          | 19,695             | 2                 | 4,300              |                            |                    | 25  |
| Customs.....             | 871                    | 535         | 224,009            | 304               | 64,767             | 333,513                    | 363,834            | 10,253  |
| Prohibition.....         | 105                    | 44          | 22,190             | 2                 | 265                | 11,167                     | 7,582              | 1,563   |
| Narcotics.....           | 19                     | 1           | 500                |                   |                    |                            |                    | 627   |
| Agriculture.....         | 1                      | 1           | 200                |                   |                    |                            |                    | 40  |
| Justice.....             | 34                     | 3           | 2,000              |                   |                    |                            |                    | 1   |
| Army and Navy.....       | 69                     |             |                    | 1                 | 30                 |                            |                    | 371   |
| Coast Guard.....         | 1                      |             |                    | 1                 | 100                |                            |                    |   |
| State and municipal..... | 538                    | 58          | 23,325             | 4                 | 340                | 978                        | 2,080              | 12,571  |
| Total.....               | 25,534                 | 671         | 291,919            | 314               | 69,802             | 353,392                    | \$86,692           | 25,451  |
| 1929                     |                        |             |                    |                   |                    |                            |                    |   |
| Immigration.....         | 33,002                 | 25          | 8,795              | 9                 | 1,500              |                            |                    |   |
| Customs.....             | 848                    | 592         | 198,679            | 208               | 19,727             | 307,416                    | 271,524            | \$4,732   |
| Prohibition.....         | 117                    | 58          | 34,700             | 2                 | 5,075              | 33,061                     | 56,176             | 1,191   |
| Narcotics.....           | 6                      |             |                    |                   |                    |                            |                    | 110   |
| Justice.....             | 30                     | 3           | 375                | 2                 | 1,050              | 78                         | 130                | 156   |
| Army and Navy.....       | 72                     |             |                    |                   |                    |                            |                    | 693   |
| Indian Service.....      | 1                      |             |                    |                   |                    | 4                          | 8                  |   |
| State and municipal..... | 515                    | 61          | 28,550             | 1                 | 500                | 12,310                     | 9,931              | 51,276  |
| Agents and owners.....   |                        | 2           | 900                |                   |                    |                            |                    |   |
| Total.....               | 34,591                 | 741         | 271,999            | 222               | 27,852             | 352,869                    | 337,769            | 58,158  |
| Grand total.....         | 79,507                 | 2,198       | \$89,170           | 839               | 175,649            | 969,874                    | 1,090,465          | 114,296   |

Figures not available showing apprehensions and seizures for the fiscal years 1925 and 1926.

Seizures for violations of the customs law for the fiscal year ending June 30, 1929, were as follows:

Seizures for violations of customs law, fiscal year ending June 30, 1929

|   | Auto-mobiles | Boats | Intoxicating beverages (gallons) |
|---|--------------|-------|----------------------------------|
| Seizures by customs patrol.....         | 1,321        | 410   | 324,173                          |
| Seizures by Customs Service proper..... | 367          | 32    | 94,598                           |
| Seizures by customs agents.....         | 26           | 26    | 14,050                           |
| Seizures by entire Customs Service..... | 1,714        | 468   | 432,821                          |
| Joint seizures.....                     | 84           | 8     | 11,883                           |
| Seizures by Coast Guard.....            | 10           | 199   | 120,612                          |
| Seizures by Immigration Service.....    | 380          | 80    | 45,229                           |

In view of the fact that the uniformed armed border patrol authorized by law in 1924 was established in that year and has continued since that time, what becomes of the statement of the gentleman from New York that—

For the first time in 116 years it is proposed that we place an armed and uniformed force along these borders.

Surely such misstatement must fall in the presence of the facts, and with it the major portion of the gentleman's argument in opposition to the pending bill. Again it is facts against declamation.

The gentleman states:

I do not object to protecting our borders against the unlawful entry of persons or merchandise. I am not opposed to the consolidation of the different forces who watch for customs smugglers or prohibition smugglers or aliens trying to enter our country in violation of our immigration laws. I am not opposed to reasonable provisions to meet these conditions, but I am opposed to the vicious features of the bill which make a new crime, a crime which any American citizen or any child might commit, innocently, unknowingly, not willfully, and yet be branded as a criminal for life without any possibility of removing the stain of that criminal record.

This objection goes to the prohibition in section 4, which is absolutely essential to the enforcement of the immigration, customs, quarantine, narcotic, and prohibition laws. The gentleman proposes to emasculate this bill and make the enforcement of the various complicated laws subject to the same methods of evasion and difficulties of enforcement which now prevail. He would insert in line 14, of page 7, after the word "person," the words "knowingly and willfully," and in line 17, on page 7, after the word "President," the words "with intent to evade or violate the laws of the United States."

This would open up a loophole for evasion similar to existing conditions. It would permit the violator, when apprehended, to say "It was not my intention to violate the law. I did not know that I had crossed the border." He seeks to justify his amendment as necessary to protect the innocent from unintentional violation of the law. Where the enforcement and effectiveness of a statute requires such prohibition its elimination would be made nugatory by evasion in disclaiming knowledge or intention. The statute is fully justified by the ends to be accomplished.

Many instances of this kind are to be found in regulatory measures in the exercise of what is called the police power, where the emphasis of the statute is evidently upon the protection of society, rather than the punishment of crimes in cases of mala in se.

Paragraph (c) of section 4 of the bill, enforcing the penalty, provides:

Such penalty may be imposed or may be remitted\*or mitigated in the same manner as a penalty for violation of customs revenue laws of the United States.

Section 488 of the customs laws provides that where a violation is caused by accident, stress of weather or other necessity, the violation is not subject to prosecution and the penalties shall not be exacted.

Paragraph 89, 23 R. C. L., states:

Jurisdiction of forfeiture proceedings under the customs duties laws has always been in the district courts. These proceedings are generally considered to be civil in their nature. Statutes to prevent frauds upon the revenue are considered to be enacted for the public good, and therefore, although they impose penalties or forfeitures, are not to be construed like penal laws generally, but are to be fairly and reasonably construed, so as to carry out the legislative intent.

Thus the second objection of the gentleman from New York must fall in the face of the letter of the statute, as well as the rule of construction which looks to the intention of Congress in the enactment of the statute. Congress has no intention to penalize any American citizen or any child who might unknowingly or innocently cross the border with no intention to violate.

It is a gratification to me to bring this information to the attention of the gentleman from New York and I do so with the hope that it will relieve his mind of anxiety and worry over the American citizen and child who, while innocent, would yet be branded as criminals for life, without any possibility of removing the stain of that criminal record.

It is to be hoped that at the conclusion of this arduous day's work of battling for the innocent he will be able to lie down to



a couch of pleasant dreams and that sweet slumber will knit up the raveled ends of care.

After an intensive study of the needs for an efficient patrol of the borders, the immigration and customs services have reported the conclusion that an addition of 924 men for the patrol service would be necessary. The need for this reorganization, reallocation of ports of entry, definite designation thereof, and simplification of the law is too obvious to call for argument in its support. The annual appropriations for the existing immigration and customs service patrol are \$3,914,386. The proposed unified patrol will increase this amount by \$3,414,496. The annual appropriation necessary to carry out the proposed reorganization is estimated by the Treasury Department to be:

|                          |             |
|--------------------------|-------------|
| First year.....          | \$5,782,896 |
| Second year.....         | 8,388,108   |
| Annually thereafter..... | 7,328,882   |

as compared with \$3,914,386 for both present patrols. The total increase of cost to be incurred by the proposed reorganization under the bill will amount to \$4,241,779—an insignificant amount compared with the resultant contribution to law enforcement in closing up the existing loopholes along our borders which now make impossible the enforcement of existing laws.

The bill speaks for itself. It should receive support of every Member willing to contribute to the simplification and enforcement of the law. [Applause.]

Mr. MILLIGAN. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. COCHRAN].

The CHAIRMAN. The gentleman from Missouri is recognized for five minutes.

Mr. COCHRAN of Missouri. Mr. Chairman and members of the committee, I do not ask for this time to discuss the merits of the bill. I simply wanted to have the gentleman from Oklahoma [Mr. GARBER] and some of his colleagues set right on the subject of immigration.

Whenever the question of immigration is raised in this House those of us who come from large cities are always accused of being opposed to restricted immigration. I come from one of the great cities, where there is a mixed population, American and foreign born. I want the Members of this House to know that I shall be glad to have an opportunity to vote for a bill to further restrict immigration, and I will say that I have repeatedly asked the gentleman from Washington [Mr. JOHNSON], the chairman of the Committee on Immigration and Naturalization, when he will bring in such a bill.

I say that in these times of unemployment we should further restrict immigration. Why should we permit people from abroad to come to this country when there is no work for those already here?

I want to say further that large corporations in my city have urged me to vote against the bill restricting immigration from Mexico. I have replied that I am in favor of the bill and in favor of restricting Mexican labor from flooding this country. They come into this country and take away work from the people of the South. They drive the people from the South up into my section, and they in turn take work away from the people of my city.

I want the Members to know that so far as one Member coming from a large city is concerned, I am in favor of the restriction of immigration, and I will support it. [Applause.]

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN of Missouri. Yes; with pleasure.

Mr. DICKSTEIN. Under your immigration allowance you get 70,000 from Great Britain, and people coming from that country do compete with our people. Would you take the privilege away from Great Britain?

Mr. COCHRAN of Missouri. I will say that I have never been in favor of the national-origins clause. It is responsible for the large quota from England. I will vote for its repeal. I will vote right now to reduce all immigration 50 per cent. [Applause.]

There is another important question I would like to touch on. That is, the amount of money now being sent abroad by citizens of this country for the upkeep of their old parents. I think it advisable for the Committee on Immigration to learn from the big banking houses how many millions are sent abroad monthly for this purpose. The foreign-exchange departments of the banks can tell you. I am advised it runs into the millions. If that be so, would it not be the smart thing to do to consider allowing the aged parents of citizens of this country to come here, provided the children filed with the Department of Labor a bond guaranteeing that their parents would be cared for and that they would not be permitted to seek employment? Would it not be better to spend this money in this country when we know

the immigrant will not be allowed to compete with American labor?

The CHAIRMAN. The gentleman from Missouri yields back one minute.

Mr. MILLIGAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. O'CONNOR].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. O'CONNOR of New York. Mr. Chairman and members of the committee, I did not intend to further engage in the general debate on this bill, but I feel compelled to do so on account of the remarks of the gentleman from Oklahoma [Mr. GARBER].

I thoroughly understand this bill. I have studied it, read all the hearings and all the reports, and listened to the discussions before the Committee on Rules. I yield to no man in an understanding of this measure.

When I say that for the first time in 116 years there is to be established an armed force on these borders I take as my authority the language used by the supporters of the bill: For the first time in all these years it does put on these borders an armed force, or a police force, if you prefer that nomenclature.

The gentleman from Michigan [Mr. HUDSON], the introducer of the bill, in his remarks in yesterday's RECORD, calls it an "army," a "peace-time army." He emphasized the fact that they would be in "uniform." It would be at least a police force. Of course, the border patrols wear uniforms now, but they are more or less nondescript.

That is what I mean when I say you are for the first time placing on our borders an armed force. It is a new departure, and the chief reason advanced in support of this bill is to put a trained, uniformed police force, at least, along these borders.

I am not opposed to a unified border patrol. I do not oppose preventing aliens from coming into this country illegally. I am not against the seizure of goods smuggled into this country. I am not against the seizure of liquor illegally entering this country. I am for all those measures. If you never take section 4 out of the bill, the criminal section, which must offend everyone's sense of justice, which section makes it a crime for anybody, however innocently, to step over the American border, you will still have all you need for a unified border patrol. You will then have these different patrol organizations brought together. You will be able to apprehend the unlawful immigrant and the smuggler of goods or liquors.

Yesterday the gentleman from Kansas [Mr. HOCH] again fell back on the argument which has been used so often in representations concerning this bill, and will probably be used again, that this law does not make any change in the present situation. If that is true, then I contend the present situation is fundamentally wrong, and the mere fact that we now annoy and harass people coming into our country is no justification for the continuance of that system, much less adding to it by further offensive measures.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. JOHNSON of Washington. The gentleman would not think that people should come in as they pleased across the borders, either smugglers or immigrants surreptitiously entering this country, without any check or hindrance?

Mr. O'CONNOR of New York. No. Nobody should come into the country illegally, but if a person comes into the country, not a smuggler, not an alien, but an American citizen, bringing no merchandise, I will ask the gentleman from Washington if that man should be called a criminal?

Mr. JOHNSON of Washington. No; and he is not.

Mr. O'CONNOR of New York. Oh, yes; this bill makes him one.

Mr. JOHNSON of Washington. I do not think so.

Mr. O'CONNOR of New York. It does. There can be no mistake about it. The language reads "it shall be unlawful," and if a man, for instance, is hunting in Canada and does not know where this imaginary boundary line is and steps 1 foot over the boundary, he is forever a criminal and can never wipe out the stain. I challenge the lawyers in this House to state honestly and frankly if that is not the fact?

Mr. JOHNSON of Washington. That is not the intention. I think the law will be reasonably enforced.

Mr. O'CONNOR of New York. Oh, its enforcement can not be safely left to a lot of cops.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MILLIGAN. I yield to the gentleman from New York five additional minutes.

Mr. O'CONNOR of New York. When you are enacting criminal laws you should not leave discretion to the policeman as to whether he shall enforce the law. This bill reads, "it



shall be unlawful." That ends all question about it. The act of unlawful entry makes the crime complete. It is a "misdemeanor," expressly declared so to be in the bill. I ask the gentleman from Michigan [Mr. MICHENER] if that is not what the law provides and if a man is not guilty of a crime the moment he steps across the border, even though innocently?

Mr. MICHENER. I am not familiar with the bill, and I did not notice what the gentleman was saying, and therefore I can not answer.

Mr. O'CONNOR of New York. I have never yet heard it disputed that the mere entry, however innocent, is a crime. I pause now to have my statement denied.

Mr. HOCH. The gentleman must compare it with the present law. I will ask the gentleman, if a man comes across the border to-day in an automobile, bringing no merchandise of any sort, he has not violated the law if he fails to report to the customs port of entry?

Mr. O'CONNOR of New York. That is the law, and again the gentleman falls back on that defense of his bill. The present law is vicious in that respect. There are thousands and thousands of roads going into Canada, and it is impossible for a man, unless he is familiar with the situation, to know where a customhouse or point of entry is. The present law should not exist.

But the gentleman continues to evade answering the question that I put to him on Thursday last. Is it not an indisputable fact that by this bill you make a man with no merchandise, who steps 1 foot across the border innocently, guilty of a crime? Is that not the fact?

Mr. HOCH. The gentleman did not evade anything.

Mr. O'CONNOR of New York. Will the gentleman answer that?

Mr. HOCH. If the gentleman will allow me to answer it in my own way.

Mr. O'CONNOR of New York. Well, the answer is "yes" or "no."

Mr. HOCH. I will answer it if the gentleman wants me to answer it.

Mr. O'CONNOR of New York. I do.

Mr. HOCH. This law provides that if you cross at any place other than a point of entry you violate the law, with certain exceptions, which the gentleman entirely ignores.

Mr. O'CONNOR of New York. Oh, no. I do not ignore any exception. The only exceptions in the bill apply to persons with presidential permits who reside or own property on or in the neighborhood or vicinity of the border or airplanes. Will the gentleman tell me what those words, "neighborhood or vicinity" of the border, mean? I do not know what they mean. Is 5 miles in "the neighborhood or vicinity"? Is 10 miles? Is 50 miles? I do not know. Who is going to interpret those words? The President is expressly restricted to giving permits to people who live or own property in the vicinity or neighborhood of the border. There are thousands of people who frequently travel to Canada who do not live within 50 or 100 miles of the border. To such persons the President, in my opinion, could not give a permit.

Mr. HOCH. The gentleman's position would lead us to the situation where we would have no law to enforce any of these laws.

Mr. O'CONNOR of New York. Oh, you would have sufficient law without the criminal section 4, but I beg you not to make the entry unlawful, however innocent or unwillful. Accept the amendments I propose to offer, so that a man who crosses unknowingly and without intent to evade our laws shall not be guilty of a crime. Under the bill as now drawn a man will be guilty of a crime, even though he crossed the border innocently.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. WILLIAM E. HULL. Would they not have so many policemen there that you could not cross without being a criminal?

Mr. O'CONNOR of New York. Yes; they may eventually have that many. The proposal of the Anti-Saloon League to stand an army on the border, shoulder to shoulder, may yet come true. Now, there is much talk about these points of entry. These stations at present are from 5 to 250 miles apart. It is only proposed to add about 175 on the Canadian border. That would not make a dent in the surface of the problem. There will be five times as many paths and roads over that border as there are patrolmen. A man may own a piece of property on each side of the border, and under this bill the paths on his own property will be closed. If he crosses the border, he will violate the law unless he gets this "ticket of leave" from the President; this Russian permit to return through his own property. Under this bill the paths and roads on such a man's property

will be closed to reentry. I am quite sure you do not really want to do that.

Let me repeat, do not fall back on your exception in section 4 giving the President authority to grant permission to anybody who lives in the vicinity of the border or who owns property near the border. There are countless people in New York City, for instance, who make constant trips to Canada on business. They could not get a permit under subdivision (1) of section 4; and if, by accident and innocently, they should cross the border at some spot other than at a point of entry, they would be forever branded as criminals. Nothing could ever wipe out that stain. That is what the bill provides. I challenge anyone to deny it.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. HOCH. Mr. Chairman, I yield one minute to the gentleman from New Mexico [Mr. SIMMS].

Mr. SIMMS. Mr. Chairman and gentlemen of the committee, this bill affects considerably the State of New Mexico, which I have the honor to represent. We have about 350 miles of Mexican border on the south of our State. At present several different branches of the Government service are serving in our contact with the Republic of Mexico. They have not been found particularly efficient. In reading this bill and the report I was struck with the fact that this bill attempts to unify this service and to establish at suitable intervals points where people crossing from Mexico to the United States may be taken to report in order to find out whether they have goods to be taxed.

Mr. Chairman, I have been given a little time in the discussion of H. R. 11204 to express my opinion on its merits and to explain to the House the interest of the people of New Mexico in its passage.

Our southern border joins the Republic of Mexico, and this imaginary dividing line between the two sovereignties extends for more than 350 miles. Over a great part of this distance the War Department has placed a high wire fence, which was erected primarily for military purposes and which denotes the dividing line between the countries. Conditions on our border are very different from those existing on the Canadian border of the United States. The Republic of Mexico has for the past 20 years, since Diaz left Mexico, had varying difficulties in attempting to establish a stable government, and a truthful statement of conditions there will indicate that most of that time comparative peace has reigned in the southern Republic. It is undeniable, however, that the occasional revolutionary activities, sometimes lasting for a period of several years, have distressed the country politically and economically, that American capital has been timid to enter the country, a great part of American investment already there has been dormant, and many new enterprises which would long since have been colonized in Mexico by capital from the United States have stayed in safety at home.

In consequence, and for various reasons, the most important of which is the character of the Mexican population, about 13,000,000 of the total population of 15,000,000 being of Indian blood, education has not been as well disseminated there as here, and the standard of living does not nearly compare to ours. In consequence, thousands of laborers from northern Mexico have been drifting into the United States for the past few years to work on the railroads, in the mines, in the beet-sugar fields, in the irrigated valley of our Western States, and many of them have, indeed, penetrated as far north in the United States as Detroit. They have been well treated, have earned their money, and many of them have taken it back to Mexico with them to enable their families to live. This is fine for the States of the Republic of Mexico, and is the way which, if conditions were equal, we would in the United States, I am sure, prefer to use in dealing with our southern neighbor. Unfortunately, every Mexican who comes to the United States to work displaces an American laborer and helps to dilute the labor market, bringing down the average price of labor and encouraging unemployment.

Liquor is still manufactured and sold legally in the Republic of Mexico, and if there were no barriers of excise it would be freely imported into the United States.

Chinese aliens anxious to come into the country have for many years been seeking the most convenient route into the United States, which lies through Mexico. Narcotics have been frequently smuggled across the southern border.

Many fine articles of merchandise, particularly French perfumes, toilet requisites, and so forth, are probably smuggled into the country from Mexico, where duties on European imports are not high.

The bill under discussion seeks to unify the border patrol, in my judgment, satisfactorily and efficiently. With all these problems it is proposed under the bill to unify the Immigration,



Prohibition, Customs, and Narcotics Services under one administration in the Treasury Department; to be known as the border patrol. Under the provisions of the bill, the present employees of the Government, many of them not now under the civil service, are to be taken into the civil service and retained. In addition several hundred more are to be employed. Numerous additional points of entry are to be provided for on the northern and southern borders.

In the case of the Mexican boundaries alone, the present number of points of entry now amount to 28. This is to be increased by 30, which will make a total of 58, more than double our present number. Under the administration of the act all the activities are to be consolidated, as I said above, in a border patrol. These men are to be charged with the duty of enforcing all the various boundary crossing regulations, and when for administrative purposes, they stop or arrest people crossing, they are to conduct them to convenient central administrative posts where the appropriate department of immigration, prohibition, customs, and so forth, can take charge of them.

The State Department very wisely has within the last few months rigidly enforced the immigration act in its dealings with Mexico, and I understand from high authority in the State Department that the number of Mexicans entering the United States at present is not above 500 or 600 monthly. Formerly as many as 30,000 entered per annum. The recent revolutionary disturbances in the State of Chihuahua, one of the States on the border of my own State, New Mexico, will doubtless cause the pressure of immigration to be felt again on our border, as many of these poor working people who have nothing to gain and everything to lose by revolution, will be attempting to flee into our country. I look for the present admirable, stable government in Mexico to quickly settle these momentary troubles in the State of Chihuahua, and that peace will reign again.

To my mind the present bill is an admirable aid to our efforts to cut off indiscriminate immigration from Mexico, and is of substantial aid in the enforcement of the prohibition act, the narcotic act, as well as the customs regulations.

Objections have been urged by Members against the creating of armed, uniformed guards on our border facing a neighboring, friendly State. It is intimated that this would constitute a flagrant and objectionable irritation to our neighbors on the northern and southern borders. Of course, Mr. Speaker, the method of administration of the act by the border patrol will determine whether it will be a source of friction to our neighbor. When we have not suitable men in our employ to give the necessary fair treatment to our neighbor they can be quickly eliminated.

The unemployment statistics recently returned by the Census Bureau for the State of New Mexico shows that but 1.6 per cent of our population is unemployed. We have a peaceful, thrifty, prosperous people, living in harmony, and however much we may regret to deny to our neighbor on the south the opportunity to come and share with us the high standard of living which we have so carefully fostered and maintained for so many years, we find it our bounden duty to look first to our own people. I favor the bill. I hope it will pass promptly.

The CHAIRMAN. The time of the gentleman from New Mexico has expired.

Mr. HOCH. Mr. Chairman, I yield two minutes to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Chairman, I hope this bill will be passed. I was amazed to see some of the bushwhacking tactics demonstrated by my colleague from Michigan [Mr. CLANCY]. He indicated on the floor of the House that the only reason why he accepted the Tinkham amendment to the census and apportionment bill was because he was forced to do so on account of the Hoch antialien amendment.

Mr. Chairman, had the Tinkham amendment been written into the act more dry-voting Congressmen from dry Southern States would have been removed from Congress than wet-voting Members would have been removed under the Hoch amendment. I voted for the Tinkham amendment and against the Hoch amendment on constitutional grounds and in the interest of the anti-prohibition cause. I was astounded to hear the gentleman from Michigan admit that he was not strongly in favor of the Tinkham amendment, which provided for the enforcement of the provisions of the fourteenth amendment to the Constitution, an amendment which if properly enforced would remove about 40 or 50 dry-voting Members of Congress from the Southern States.

Mr. Chairman, the bill before us is in the interest of labor. It is in the interest of American producers. It is in the interest of economy. Since some of my wet colleagues have drawn a red herring across the horizon, I want to say that if it is a question of taking sides between liquors produced from the corn and grain of the Canadian and other foreign farmers and sold by

Canadian bootleggers and the liquors produced from the corn and grain of American farmers, produced and sold by bootleggers in America, I will take my stand on the American side, the same as I have in favor of the tariff bill and in favor of a restrictive nondiscriminating immigration law to protect American labor and industry. [Applause.]

Mr. MILLIGAN. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BOX]. [Applause.]

Mr. BOX. Mr. Chairman and gentlemen, I have not been in full accord with all that this bill carries, but members of the Committee on Immigration and I personally have been very much interested in the better enforcement of our laws against the illicit importation of intoxicants and the unlawful entry of aliens. I believe this bill will make for the better enforcement of the law without doing anything seriously irritating to our neighbors or seriously troublesome to those of us who go back and forth across the borders. The establishment of a greater force like this, better supported than any of the border patrols we now have, will command the respect of the country, will command the attention and support of Congress, and will, on the whole, bring about better results than we are now getting.

Members of the Committee on Immigration and Naturalization were instrumental in helping to create the original immigration border patrol. We have known that it has been insufficient in numbers, equipment, and financial support. I have for years urged the increase of its authority and personnel. However, I now feel that this measure is the best that is obtainable and, after all, will be a step forward. Therefore I have resolved all doubts in favor of its enactment and the better law enforcement it promises, and hope it will pass this House and become a law. [Applause.]

Mr. HOCH. Mr. Chairman, I yield the remainder of my time to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman and members of the committee, when the President's recommendations were made to this House, the Committee on Immigration and Naturalization considered that part referring to the request for a consolidated border patrol. Some of the hearings were public and some plans were suggested for the enlargement and improvement of the border patrol. Some of the hearings were executive, at which considerable important matter was brought out. The Immigration Committee at once took a stand against an enlisted service, under the Coast Guard, for reasons which must be apparent to all. After that and a few other recommendations were cared for, I believe I am correct in saying that almost without exception the members of the Committee on Immigration and Naturalization decided they wanted the border patrol strengthened, enlarged, and given a little more power for the enforcement of all the laws which need enforcement at the border.

Therefore I believe the members of the committee, of which I have the honor to be chairman, will support this bill all the way through. I had the honor to introduce the resolution which was passed by the House in 1924 which created the immigration border patrol. In five years it has proved wonderfully successful, in spite of the fact it took two years, with considerable turnover, to get the type of men capable of enforcing the laws. It holds a record for efficiency which is unexcelled.

It is the hope of our committee that the men of the immigration border patrol go over into the unified patrol service, that they will maintain the morale they have established; that they will act with justice and fairness. I am in hopes that the only law which controls the present border patrol, that giving the right to search and seizure, will not be weakened.

If I could address the officers and men of the immigration border patrol I would say to them:

Men, you will have to act with precision. A commanding officer can not always be with you. It will be your duty to enforce the laws of the United States against all those who would break them at the borders, either by surreptitious entry or by smuggling or by bringing in narcotics or any of those vicious and violent things which the citizens of the United States do not want. You will be often abused by citizens of the United States, for they forget for the moment that they have been in a foreign country, even if only across the border. Be as patient as you can, and explain that these laws are what others countries have; that it is becoming increasingly more important to act as a citizen, and to assist the officers of the United States. Enforce the laws as best you can. Be very careful how you shoot. Do not shoot to kill unless absolutely necessary to save your own life or that of a brother officer. Whenever possible, travel in pairs—let a patrolman with immigration training travel with a patrolman with customs training. You will thus save both time and money for the Government and protect yourselves. Be careful about pursuit farther than the actual "hot trail." Consult your superior officers freely with tips and sug-



gestions. Locate the headquarters and the receiving ends of smuggling bands. Look out for dangerous characters, but be helpful to travelers and kind to women and children. Carry an insurance policy and do your best. [Applause.]

The CHAIRMAN. Under the order of the House the amendment reported by the committee will be read as the original bill for purposes of debate and amendment.

The Clerk read as follows:

SEC. 2. (a) There is hereby established in the Department of the Treasury an organization to be known as the United States border patrol. In order to secure close cooperation between the patrols along the land and water boundaries of the United States the United States border patrol shall be assigned, for administrative purposes, to the office of the Assistant Secretary of the Treasury having supervision of the United States Coast Guard.

(b) The President is authorized to transfer to the United States border patrol all or any part of the personnel of the border patrols of the Bureau of Immigration of the Department of Labor and of the Bureau of Customs of the Department of the Treasury, or of other border patrols, together with their equipment and appurtenances, and to discontinue such border patrols, or parts thereof, from time to time, when in his judgment such action is advisable by reason of the establishment and effective operation of the United States border patrol created by this act. In case of any such transfer or discontinuance, any unexpended appropriations apportioned for expenditure for the compensation of, or in connection with the performance of the duties of, the personnel transferred or the patrol discontinued, shall be available for expenditure in carrying out the provisions of this act.

(c) The Secretary of the Treasury is authorized to appoint such officers and employees, in accordance with the competitive provisions of the civil service law, and to purchase such motor vehicles, boats, horses, supplies, and equipment as are necessary in the administration of this act.

Mr. HOCH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HOCH: Page 7, line 3, strike out all of the line down to and including the word "law" and insert the following: "civil service act."

The amendment was agreed to.

Mr. HOCH. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HOCH: Page 7, line 4, after the word "boats," insert the words "airplanes."

The amendment was agreed to.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my fear about this bill is that a large force of officials will be assigned to our Canadian border—and I have more fear of what will happen on the Canadian border than I have about what may happen on the Mexican border—and, perhaps, cause irritation between the Governments of Canada and the United States.

We have gotten along splendidly with Canada ever since the existence of the Republic; in fact, the relation between Canada and the United States, considering the large border line, is an example to the whole world of how two neighboring nations can live in peace and harmony.

With the creation of this large force, and with the possibilities of rigid and extreme rules and regulations, and with the power of arresting people crossing and recrossing the border, I fear we will have cause for a great deal of annoyance, which may, in a measure, disturb the very happy relations which exist between the United States and Canada.

Prohibition has been injected into the debate, and necessarily so, by reason of the purpose of the bill and what it will do.

If there is great care in the selection of the personnel, the picking of men of judgment and some training, perhaps this may work out all right. We have had very little trouble with our immigration officials on the border line. We have had very few instances of corruption among the immigration officials, and they have not been paid any too well. The gentleman from Washington knows that. We have had no trouble with our customs officials. We have had considerable trouble with the type of men we have been appointing in our prohibition department.

If this force is properly commanded, if there is an intelligent and liberal construction of the law, such as directing innocent persons attempting to cross at a wrong place by mistake to the proper point of entry, I believe it may work out very well; but on the other hand, if the same type of man we have had on

the border line enforcing the prohibition law is brought into this service, with the same reckless disregard of life and of the attention and courteous treatment that citizens are entitled to, this will cause us a great deal of trouble and annoyance.

Mr. COLE. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. COLE. Does not the gentleman think we have had about as much smuggling of aliens as we have had smuggling of liquors?

Mr. LAGUARDIA. I think that is exaggerated a great deal, I will say to the gentleman.

Mr. COLE. There are a great many coming across illicitly.

Mr. LAGUARDIA. The immigration force on the border is undermanned; there is no doubt about that.

Mr. COLE. There is no question about it.

Mr. LAGUARDIA. But I will say that with the force the Immigration Service has had they have conducted their service very efficiently.

Mr. COLE. I think that is true.

Mr. LAGUARDIA. And I will tell the gentleman why. It is easy to check up on the number of aliens who enter the country because we know the capacity of all the steamers which enter Canadian waters, as well as American waters, and I think the statement of smuggling of European aliens is greatly exaggerated. Of course, a great many Mexicans enter without inspection and without paying the head tax.

The CHAIRMAN. The time of the gentleman from New York has expired.

The pro forma amendment was withdrawn.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 6, line 20, after the word "act," strike out the comma, insert a colon and the following:

"Provided, That officers and men transferred from any service to the United States border patrol shall be permitted for one year from the time of transfer to wear the uniforms then owned by them."

Mr. JOHNSON of Washington. I think the amendment explains itself.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the amendment was agreed to.

Mr. PARKER. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. PITTENGER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and members of the committee, I do not want to discuss this bill at length, because the field of argument for and against it has been fully covered on the floor of this House. I want to register my protest against the passage of this act. I think this is as good a place in the proceedings as any to make that protest.

In legislation such as is here proposed the rights of our people on the border should be considered. Further, the tourist traffic and its importance to the two countries should be protected. The rights of citizens in their social and commercial life should not be infringed.

In my opinion the proposed legislation overlooks all of these important matters. The field of bureaucracy must be widened and developed, regardless of the consequences. This plan was first broached last December. At that time in an interview I said:

This plan to close the highways to Canada comes as a surprise to me, and I will not indorse it without further information. My district extends for a considerable distance along the Canadian border, and it is only fair that the people affected have a chance to know what Government bureaus plan to do.

I will oppose any move to work additional hardships on people who cross the border on legitimate business enterprises. There has already been much complaint directed at the customs, immigration, and border-patrol regulations, to the effect that they needlessly interfere with people who have lawful business taking them back and forth across the international line. Further, the tourist business in my section of the country is to be considered.

Just why Government bureaus do not consult Members of Congress whose districts are vitally affected by their red tape is something I can not understand. I think it about time that we stop granting unanimous consent to pass appropriation bills and other legislation because some "bureaucrat" has some pet policy to carry out. Then, when they get what they want, the interests of a Congressman and his constituents in the new program are often entirely overlooked or ignored.

I do not mean this as a criticism of all Government departments, for most of them show a willingness to cooperate and render service. However, such is not the case with some departments and bureaus.



I have in mind one bureau which was granted appropriations last spring, and one man under the legislation was given authority to spend the money and make regulations as he pleased. He is now privileged to turn a deaf ear on any concern a Congressman or his district may have in his program or policies or regulations. I hope the necessity will not arise for a committee of Congress to secure redress for those who are vitally interested.

I can see a lot of dangerous possibilities in the plan of Mr. Mills to close the highways to Canada, and it is possible that great inconvenience may be caused many people. I repeat, "Why don't they consult the Members of Congress who live along the border before formulating new bureaucratic rules and regulations?"

I do not want to be misunderstood, so I take occasion to say that this statement is in no way a criticism of the Crime Commission appointed by President Hoover. I think that commission ought to be allowed to finish its work, free from political influence or political interference. That was the purpose when the commission was created and it should not be changed.

I see no reason to change the position I took at that time. This legislation is unwise, unnecessary, and will increase public expenditures without doing any good.

I am sorry that my good friend from Iowa [Mr. COLE], who asked the gentleman from New York [Mr. LAGUARDIA], how many aliens get across the border, a few minutes ago, did not have the opportunity to be present at the committee hearings when the Department of Labor had a representative before the subcommittee in the Committee on Interstate and Foreign Commerce. I hold a copy of the printed hearings in my hand.

I listened to the testimony before that committee while I was waiting to appear before the subcommittee. The immigration authorities very modestly admitted that they had the situation, so far as the law violations of the border were concerned, well in hand. I challenge anybody to question the accuracy of that statement.

For example, Mr. White said in reply to a question as to how many aliens crossing the border unlawfully they did not get, said that the estimate given by the border patrol and the immigration officers along the border was fairly accurate, and it seemed to be the consensus of opinion among them that they only lost 10 per cent. He further said they caught 29,568. He is talking about one year. They figured that 10 per cent of them got by without detection.

As I listened to the hearings before the committee the testimony indicated there never really was any necessity for this legislation. They enforce the law on the border as it is their duty to do, and they do it efficiently.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. PITTINGER. Yes.

Mr. STRONG of Kansas. Would it not be natural for the officers and men who are enforcing the law to claim that only 10 per cent got by? They do not know how many get by.

Mr. PITTINGER. I do not know whether it would be natural or unnatural or otherwise in this particular matter, but it happens, in my opinion, that they were telling the truth.

Mr. Ogden Mills told us last December that the legislation was for the purpose of closing the highways to Canada. He was telling the truth then. I do not care what rainbow talk may be passed out now or what reasons you may give. The purpose and effect of this legislation is to close highways. I can not understand the working of the human mind that believes in having our people build highways, raise money by taxation to pay for them, continue them up to the border for the purpose of promoting good will between the people of Canada and the United States, and then put an armed force on the border to stop and harass law-abiding citizens.

The proponents of this measure seem to think that the average farmer will carry a copy of this law around in his hip pocket so that he can study it before he starts out on his business on the border. Then the most assinine thing in this new scheme is to establish ports of entry and tell us with a straight face that they will take care of the problem. If there is anybody in this House who thinks that the bootlegger or the smuggler of goods in opposition to the tariff laws of the United States takes them in at a port of entry, then I tell him that he has got the thing all wrong. He is sadly in error.

I know that H. R. 11204 proposes to regulate the entry of persons into the United States and to establish a border patrol. I know it has been rewritten, and I know that various excuses have been given for the passage of such legislation. But I believe that this is one of those bad pieces of legislation which can not be improved by amendment or bolstered up by plausible arguments. It is one of those vicious matters which only become worn the more they are tinkered with and the more plausible the reasons advanced.

There is no necessity for this legislation. So far as I can ascertain, no valid objections can be advanced to the effective

work now being done by the immigration authorities and other agencies on the border. I heard part of the testimony before the committee and know that the customs and immigration authorities were willing to admit that they were functioning in a proper manner.

I do not care who wants this new legislation. They are simply being misled by some misguided person who thinks he has achieved a brilliant idea and given birth to some more "cure-all," which will turn out to be nothing but fake patent medicine.

It is ridiculous to build highways and bridges and tax our people for the improvements and encourage fraternal and social intercourse and travel by the people of two great countries, and then undertake to close those highways and say "Thou shalt not pass" except at certain designated points, where you are partly immune from the benign influences and effects of bureaucracy.

This legislation creates a new crime and makes unlawful what is now the perfectly innocent act of crossing the border, when done in a lawful way and for a lawful purpose. I do not take serious the talk about permits, and so forth, for such restrictions only add insult to injury. We have too many laws now of the foolish kind, and this bill proposes to add one more in the nature of a Russianized espionage. It assumes that the people along the border, as well as those who approach that spot, will carry around a copy of the law in their hip pocket for ready reference. Those who fail to do so run the risk of being criminals.

Instead of passing this sort of legislation it would be more sensible to remove some of the present restrictions and encourage intercourse among nations as a means of promoting good will and a friendly spirit.

This proposed legislation looks fine on paper, sounds good from an academic standpoint, but as a matter of fact is bad in principle and will lead to unfortunate results.

It will not change the border problems in any way. Those who violate the laws against smuggling and the laws relating to immigration do not carry on their violations at ports of entry. Those problems will still exist under the new law, if enacted, and with no assurance that matters will be handled any better than at the present time.

But, of course, people who think that the passage of a law is sufficient to solve any problem must have their opportunity to chase the rainbow. Along with it, in the meantime, law-abiding citizens, acting in a lawful manner, must run the risk of committing a crime, of stepping across the border at the wrong place, the tourist business must suffer, and people generally must put up with needless restrictions, permits, and regulations.

I know that the claim is advanced that this legislation is a part of a law-enforcement program, but so far as I can see, it will serve that purpose just about as much as a fifth leg would be of assistance to a dog in performing the act of perambulation.

There is no argument to sustain the lofty purpose of the proposed legislation, and H. R. 11204 ought to be defeated.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

The Clerk read as follows:

SEC. 3. It shall be the duty of the United States border patrol to enforce the provisions of this act against unlawful entry of persons into the United States, except at ocean boundaries of the United States, and to perform, under regulations that may be prescribed by the Secretary of the Treasury, such other duties as are, in his judgment, advisable in connection with the unlawful entry of persons or property into the United States.

Mr. DICKSTEIN. Mr. Chairman, I move to strike out the last word. This has been a year for everybody to pick on the immigrant. One man would vote to cut them down to 50 per cent, another to 90 per cent, while half of them do not know what the whole thing is all about. Up to the present time there is not a claim from the Department of Labor or the Department of State that they can not control the immigration problem. One gentleman a while ago spoke of some 79,000 aliens who had been prevented from coming in. A lot of people endeavored to come in through Canada whose papers were not correct, and they were turned back, and the same applied to Mexico, and they considered those illegal entries. Coming right down to illegal entries, there are mighty few that are absolutely illegal entries. There is no reason to be alarmed by the fact that we can not control the immigration problem. There is no one trying to get into the country who has no right to come in. The only man who gets into the country unlawfully is the bootlegger, and now by this law you are giving him another premium, for he will charge more for his liquor than he does now.

Mr. JOHNSON of Washington. But does not the gentleman know that north of Montana they just unearthed a big under-



ground railroad for European immigrants to come in from the Province of Saskatchewan?

Mr. DICKSTEIN. Oh, the gentleman from Washington is always discovering so many things that I am unable to keep up with them. About two or three years ago he told us that about 10,000,000 wanted to come in here, and then he cut it down to 5,000,000. The gentleman is always picking on the immigrant.

I warn him now that the quicker he quits picking on the foreigner lawfully residing in the United States, with his family, the more peaceful country we will have.

Mr. JOHNSON of Washington. It was the border patrol that picked on this bunch, and not the gentleman from Washington.

Mr. DICKSTEIN. The gentleman makes statements that he is not prepared to substantiate.

Mr. JOHNSON of Washington. Look at the reports.

Mr. DICKSTEIN. I have read the reports, and have examined the law. If gentlemen would read the reports, we would not have such contemptible legislation as this brought on the floor of the House. Every now and then some one picks on the foreigner in the United States of America and I am sick and tired of it. And I think that the American people should be sick and tired of it, too.

Mr. STRONG of Kansas. Then I suggest the gentleman take a rest.

Mr. DICKSTEIN. The gentleman is a little older man than I, and I think he will need a rest more quickly and besides he should get a rest after the next election with many more of his colleagues in the House who have helped the farmer and brought about prosperity in this country.

Mr. STRONG of Kansas. But I am not so tired as my friend from New York.

Mr. DICKSTEIN. It is men like the gentleman from Kansas who bring discontent to the people of America by his failure to understand the American problems outside of his own district.

Mr. STRONG of Kansas. I thank the gentleman.

Mr. DICKSTEIN. It is men like the gentleman from Kansas who represent a district that is narrow-minded and bigoted, if the action of the gentleman from Kansas is to be judged and taken for its face value.

Mr. STRONG of Kansas. I thank the gentleman. They are dry and law-abiding districts.

Mr. DICKSTEIN. I am just as dry; I have never taken a drink, but I wonder if the gentleman from Kansas can say as much for himself. However, I will be darned if I would turn around and represent the sentiments of prejudice and bigotry in the Congress of the United States where we all hope that a fair and square deal is guaranteed us by the Constitution of the United States.

Mr. STRONG of Kansas. Oh, do not swear!

Mr. DICKSTEIN. I am not swearing, but I just want to tell the gentleman from Kansas that there is more purity in the thickly populated districts where immigrants reside than in the community the gentleman represents. There is less crime among the foreign population than some of the native residents in the gentleman's district, and the quicker the gentleman will get acquainted with our population in the United States he will feel like many of us feel, that every man, woman, and child has a right to live as long as they are law-abiding, although some of them have not yet become citizens but hope to be, and are really and truly in every sense of the word loyal to their adopted country.

Mr. BOX. Mr. Chairman, I rise in opposition to the pro forma amendment and in support of the bill. I have not been able to understand how men have been able to distort the idea of a peaceful, friendly police force along our borders for the enforcement of our own law into a hostile army. About our homes, with all of their peace, we have police to preserve that peace without being suspected of hostility to our neighbors. Our own roads that pass between our farms and along our shady lanes have policemen to make the minority of lawless people obey the law. We have them in our county, towns, and in our large cities, we have them in our own peaceful meetings. It is only some one who has in his mind the ghost of apprehension born of nothing substantial who can see anything unfriendly in this peaceful effort upon the part of our Government to have its own domestic laws enforced in its own peaceful and friendly way. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 4. (a) It shall be unlawful for any person to enter the United States from a foreign country at any place other than a point of entry

which shall be designated by the President, except that this section shall not be applicable in the case of—

(1) Any person who in entering the United States complies with regulations which shall be prescribed by the President for the convenience of persons residing or owning property on or in the neighborhood or vicinity of the boundaries of the United States;

(2) Any person who in entering the United States complies with the air commerce act of 1926 and the regulations prescribed thereunder.

(b) Any officer or member of the United States border patrol may arrest any person unlawfully entering the United States; may seize any merchandise unlawfully transported into the United States or in the possession of any person unlawfully entering the United States, or any vessel, vehicle, or aircraft, in which such unlawful entry is made; and shall promptly deliver any such person, merchandise, vessel, vehicle, or aircraft into the custody of the appropriate officer.

(c) Any person who violates the provisions of this section shall be guilty of a misdemeanor subject to a penalty of \$100. Such penalty shall be a lien against any vessel, vehicle, or aircraft in which the entry in violation of this section is made. Such penalty may be enforced, or may be remitted or mitigated, in the same manner as a penalty for a violation of the customs revenue laws of the United States. Action to enforce the penalty provided in this paragraph shall not be taken if in violating the provisions of this section a penalty (whether criminal or civil) has been incurred for violation of any other law of the United States.

(d) Any vessel or vehicle seized by officers or agents of the Treasury Department and forfeited to the United States as specified in sections 1 and 2 of the act entitled "An act relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the national prohibition act, and for other purposes," approved March 3, 1925, as amended, may, in the discretion of the Secretary of the Treasury, be taken and used, or may, upon application of the Secretary of the Treasury, be ordered by the court to be delivered to the Treasury Department for use in the enforcement of the provisions of this act instead of for use as provided in such act of March 3, 1925.

Mr. HOCH. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Kansas offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HOCH: Page 7, line 3, after the words "United States," strike out the semicolon and add the following: "or for the convenience of persons entering the United States on vessels which under the laws applicable thereto are exempt from reporting arrival or from making formal entry at a customhouse."

Mr. HOCH. Mr. Chairman, this amendment is intended to carry out, or to make clear, the purpose of the provision as to exemptions. Paragraphs (1) and (2) modify the requirement of going to the point of entry as provided under the act. Under present law those who come in on boats of 5 tons or less are not required either to make formal entry or to report arrival at the customhouse. In the case of those yachts of 15 tons or less, which under law are not permitted to carry merchandise or persons for hire, they are not required to make formal entry at the customhouse, but do have to report arrival within 24 hours.

The purpose of this amendment is to carry out the intention of the original language; namely, not to subject to annoyance any who by the present law are exempt from reporting to the customhouse when they come into the country.

Mr. LA GUARDIA. Mr. Chairman, will the gentleman yield?

Mr. HOCH. Yes.

Mr. LA GUARDIA. Is there anything in this bill which changes the existing status of people residing in Canada and employed in the United States?

Mr. HOCH. No.

Mr. LA GUARDIA. We have complaints concerning persons living in Canada, where the cost of living is cheaper than it is here, coming over into this country to work. Does the gentleman intend to provide for that condition?

Mr. HOCH. We have not dealt with that subject at all.

In this connection I would like to repeat what I said in general debate yesterday, in view of the fact that many who are here to-day were not here yesterday. It is not the intention to inconvenience those who lawfully cross the border, but it is the belief of the committee that in the case of a great majority of citizens this will add to the convenience of people lawfully crossing the border rather than adding to their inconvenience.

Mr. LA GUARDIA. There has been complaint that there is a great mass of workers coming from Canada, especially in the building trades.

Mr. HOCH. The committee did not have under consideration the law concerning those who can enter the United States and those who can not.



Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. HOCH. Yes.

Mr. CULKIN. As I understand the intention of the committee, it is to leave the laws now in effect as they are?

Mr. HOCH. Yes. Those who come in boats under exemption from report under present law, in the kind of boats I have mentioned, would under the regulations not be compelled more than heretofore to report at the point of entry.

Mr. CULKIN. They would not have to report if less than 5 tons?

Mr. HOCH. If under the law a man must report to the customhouse, we do not attempt to relieve him of that requirement. Boats of 5 tons or under do not have to report. We do not change that. Boats of 15 tons or less of the character stated do not have to make formal entry. We do not change that. They do have to report arrival, however, within 24 hours after arrival. We do not change that.

Mr. CULKIN. Then it remains as in the present law?

Mr. HOCH. Yes. This bill provides for entry, without report, under regulations. If the owner of one of these small boats becomes a lawbreaker, then it might be possible for the Secretary to withdraw the exemption and say: "This law was made for the benefit of the lawabiding and not for the benefit of lawbreakers."

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HALE. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. HOCH. Yes.

Mr. HALE. What would be the status of an innocent passenger on one of these boats?

Mr. HOCH. The amendment provides for the convenience of persons entering upon boats of that kind, which, of course, includes passengers.

Mr. HALE. But you said that if the operator of a boat of less than 5 tons would become a lawbreaker he might not be exempted. What becomes of the innocent passenger?

Mr. HOCH. I would advise the innocent passenger to use a boat whose operator is not breaking the law.

Mr. CLANCY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. There is an amendment pending, offered by the gentleman from Kansas [Mr. HOCH].

Mr. CLANCY. I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized in opposition to the amendment.

Mr. CLANCY. Mr. Chairman, I wish to sincerely thank the House Interstate and Foreign Commerce Committee for offering this small boats amendment, and I particularly thank the gentleman, Mr. HOCH, who offers it.

I honestly believe I forced this amendment and that it is freely conceded on all sides, except possibly one or two Members who are not willing to admit they were wrong and who may try to claim credit for the amendment.

I will show in the RECORD there was a strong movement to compel all small boats to report, even when they had not obtained merchandise in Canada or Mexico or Cuba.

This amendment does not go far enough. It turns over to the mercy of the Treasury Department the small boats formerly safeguarded by the basic law. Mr. LEHLBACH and I will submit an amendment which is better, but I think Mr. HOCH's amendment will do much to satisfy the small-boat people, especially since Mr. HOCH makes the statement for the RECORD the intention is to allow innocent small boats all the liberties they formerly and do now enjoy.

The Treasury Department has sent a letter to that effect. It is signed by Hon. Andrew Mellon. I have put it in the RECORD.

#### BIG VESSELS IN DANGER

But what about large boats, over 15 tons burden? They are left in pretty bad shape. Mr. Mellon's letter admits the difficulty. It says many new points of entry must be made in the Great Lakes district. These will be for the convenience, I was informed by the department, for the boats over 15 tons. They will cover yachts over 15 tons which touch a Canadian port and the great fleets of freight and passenger vessels which are compelled to run through Canadian waters and other foreign waters from one American port to another, although no stop is made at a foreign port.

The Hudson bill must be amended to protect large boats. Mr. HOCH has refused absolutely to accept such an amendment and so have the other prohibitionists in charge of the bill. The

Lehlbach bill which I drew aims to protect from committing a crime and from fines and seizure these innocent big boats which must pass through Canadian and Mexican and Cuban waters. But the Lehlbach bill will probably be killed by dries who fear the wrath of the Anti-Saloon League. Therefore the Senate should amend the bill in this respect.

I am hoping the big-boat people with their tremendous political influence will defeat the dries in their effort to make this bill terrible in this respect.

You are making a new prohibition crime on the eve of election. This will embarrass many Members. I begged for weeks that this bill be considered in committees, because it can not be adequately considered on the floor of the House. But I was informed that only bootleggers are opposed to the bill.

What a despicable piece of propaganda for the Anti-Saloon League to invent!

But the day is now here when the Anti-Saloon League will have to use other weapons than mere abuse of its critics to put across its program.

#### MORE DETAILS ON NAVIGATION LAWS

Pardon me if I repeat and emphasize and elaborate on the dangers of the Hudson bill to marine traffic. We have statements from Mr. HUDSON and Mr. HOCH that the border patrol act does not repeal wise and salutary navigation laws which were put on the books purposely after the debate on the floor of this House in 1912 to protect innocent small-boat owners. But Messrs. HUDSON and HOCH ignore the menace to a very important class of boats, a great number of large vessels, and a tremendous amount of freight and passenger tonnage, which are not protected by Mr. HOCH's amendment.

I refer again to the great fleet of passenger and lake vessels carrying much of the iron ore of the world, carrying the wheat and grain and lumber of a large portion of the world, and carrying an enormous tonnage of coal to the upper Lakes. They all go into Canadian waters but do not stop at Canadian ports. They go to a foreign country, and therefore they commit a crime under the provisions of this law unless they report at a port of entry. The Treasury Department admits my contention, I believe.

The Secretary of the Treasury, Hon. Andrew Mellon, sent that important letter to the House the other day clarifying the department's interpretation of the Hudson bill. He used some language about establishing new points of entry on the Great Lakes, and I became suspicious of that language because I thought it meant persecution of the small boats. I inquired at the Treasury and I was told, "No; that is to meet your objection on big boats." The language reads as follows:

It might be found convenient in certain cases to designate special points of entry for vessels, for example, dock along river boundaries—

And so forth.

It will require 10,000 new points of entry on the Great Lakes and rivers alone, because these boats now stop at any dock, at any village, at any port. Here is an impossible situation, an administrative feat that is impossible. Why bother big boats at all in the Hudson bill?

I am just making the record, and I have been doing so all day for the Senate. Senator VANDENBERG and Senator COUZENS and others have promised hearings. This is bad legislation. It is half-baked legislation in the shape it is now in. The Senate has promised adequate hearings on the bill, and I prophesy that in the next six months the border country is going to pound this new crime that you have made here of an innocent border passage, a new "prohibition crime" affecting millions of people.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

Mr. O'CONNOR of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of New York: Page 7, line 14, after the word "person," insert the words "knowingly and willfully."

Page 7, line 17, after the word "President," insert "with intent to evade or violate the laws of the United States."

Mr. O'CONNOR of New York. Mr. Chairman, I particularly invite the attention of the lawyers of the House to what I am going to say. I would like to have the attention of the distinguished chairman of the Committee on the Judiciary, the distinguished members of that committee, Mr. MICHENER, of Michigan, and the other lawyers of the House. I would like the attention of the distinguished lawyers, Judge MOORE, of Virginia, and Judge BOX, of Texas. I have asked many lawyers



of this House, and particularly the ex-judges, if they ever heard of a law making an act a crime where intent or knowledge was not a necessary element. Every one of these gentlemen, Democrats and Republicans, has said he never heard of such a law and could not conceive of the enactment of such a law.

This bill, however, for the first time in the history of American criminal law, makes an act a crime without the element of intent or knowledge. There are two kinds of crimes, namely, felonies and misdemeanors. This bill makes the entry, however innocent, a misdemeanor. All I ask you to insert in the bill is the provision that a man must have knowledge and must have intent before he is held to have committed a crime. If you will adopt that amendment I shall vote for the bill.

Some Members have stated to me privately that the provisions of the bill are similar to those of traffic laws, but they overlook the fact that the ordinary traffic violation is not a crime, a misdemeanor. Such acts are violations of municipal ordinances. Let us be fair in this, particularly the lawyers of the House. Why is it that whenever the prohibition question arises in this body you lawyers forget all about your legal training, you cast to the winds your respect and your love and admiration for the great profession of the law? There is no lawyer present and no man who ever graced a judicial bench of our country, who can gainsay that an indispensable fundamental of a "crime" is knowledge or intent. This bill says, "It shall be unlawful; it shall be a misdemeanor." If you would strike out the word "misdemeanor" it will satisfy me and accomplish the same purpose I propose. I see a number of former judges sitting in front of me now. I appeal especially to them. Judges, let us be fair about this. Let us say that before a man is guilty of any crime he must commit the act with intent; he must do it knowingly. Just because prohibition may be involved in this bill, let us not violate all the principles of fairness and justice. Let us not at one fell stroke wipe out all the traditions of American jurisprudence.

Mr. DENISON. Mr. Chairman, I rise in opposition to the amendment.

Of course, this must be read in connection with the second paragraph of subsection (c) which reads:

Such penalty may be enforced, or may be remitted or mitigated, in the same manner as a penalty for a violation of the customs revenue laws of the United States. Action to enforce the penalty provided in this paragraph shall not be taken if in violating the provisions of this section a penalty (whether criminal or civil) has been incurred for violation of any other law of the United States.

Now, the gentleman from New York [Mr. O'CONNOR] who ordinarily has very good judgment on matters of this kind, is unduly exercised by this provision, and I am unable to understand why he should be. The language of this provision follows the usual form that is adopted in the enactment of all similar legislation. A State passes a law prohibiting travel on a highway above a certain speed and provides a penalty for doing so. You do not say "A person who willfully, knowingly, and with intention to defeat the laws of the State" does so and so, but, it prohibits the act. The language used here is amply broad to enable the courts to administer the law, without inflicting any undue hardship upon any person who enters innocently, as it is said. The language is expressly selected there so as to take care of any person who may accidentally or innocently cross the border. So, I do not think the language proposed should be inserted, because it will, in effect, I think, go a long way toward nullifying one of the purposes of the act. I hope the amendment offered by the gentleman from New York will not be approved.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

Permit me to point out to the gentleman from Illinois that he does not answer the argument of the gentleman from New York when he says there is no real necessity for the amendment offered. What the gentleman from Illinois says is applicable to acts which are inherently wrong—*malum per se*. The law says any person who commits murder shall be punished; any person who commits burglary shall be punished, and intent is necessarily implied, but these are *malum per se*.

But here we have a purely statutory prohibition. A "*malum prohibitum*" only, and in the absence of providing that unless it is shown that a person willfully and knowingly enters at another point you place the burden of proof on the innocent trespasser, on the man who may innocently have wandered across an imaginary border line and returned.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. O'CONNOR of New York. Even if an innocent trespasser carries the burden of proving he did not trespass with intent or knowingly, he is still guilty of a crime.

Mr. LAGUARDIA. Yes. So this amendment will not in any way weaken what the committee is seeking to do, but it will certainly clarify the situation, and show that the intent of the law is to reach out for persons who are willfully and knowingly violating the provisions of the law or the regulations made thereunder.

Mr. DENISON. How can you prove that?

Mr. LAGUARDIA. By the circumstances of the case. How does a district attorney prove intent in a murder case, motive and deliberation? By the circumstances, of course.

Mr. HOCH. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. HOCH. It would be just as reasonable to provide that if you violated the speed ordinances here and you could show that you did not knowingly or willfully do so, that then you should not be held guilty.

Mr. LAGUARDIA. That, in the first place, is not a crime, and, in the next place, the overt act speaks for itself. However, that is quite a different proposition. When a man sits before a speedometer and exceeds the speed limit an entirely different situation is presented than where a man may be rowing, may be sailing, may be hunting, may be out strolling, and wanders across the line and then comes back. You could arrest and punish such a man under the provisions of this law. The amendment would make it clear that only willful and intentional acts constitute violations of the law.

Mr. HOCH. The same argument could be made with reference to almost any law. Let me say to the gentleman that a violation of the speed laws carries a more severe penalty than is carried for a violation of the provisions of this law, there being no penalty except a \$100 fine.

Mr. LAGUARDIA. The gentleman knows as a lawyer that intent is one of the necessary elements of a crime.

Mr. HOCH. What is the offense here? The offense is simply coming across the border at a place where it is unlawful to do so.

Mr. LAGUARDIA. I think there is a different situation presented between that of a man who violates a speed ordinance and a man who violates the provisions of this law, and, as I have said before, I do not believe the amendment offered by the gentleman from New York would weaken what the committee is seeking to do under this bill.

Mr. CLANCY. Mr. Chairman, I move to strike out the last word. I want to call attention to the fact that our amendment proposes to protect the wise navigation laws now in force for 1,500 miles of the northern boundary and over 900 miles on the southern boundary. You make it a criminal offense to enter foreign waters if upon return you do not go out of your way and report at a designated point of entry.

You make it a crime for a boy to swim or skate across the Detroit River, the St. Clair River, or the St. Marys River or the St. Lawrence River when not reporting on his return. You make it a crime if he crosses an invisible water boundary, though he may not touch the other shore. I refer to practical cases, because I swam or skated over a thousand times across the Detroit River when I was a boy.

Tens of thousands of boys and girls make this innocent passage, and now you make him or her guilty of a crime if he or she crosses the boundary and then attempts to return without going many miles to report in at a designated point of entry. What a mean, vicious piece of legislation!

#### TRouble ON THE LAND BORDER

Let me give you another administrative picture of what the Hudson bill aims to do. Here are your points of entry, from 3 miles apart to 255 miles apart, and here is your patrolman patrolling the border day and night. He picks up a fellow man, woman, or child who has crossed the border possibly only a few feet, and possibly on his farm or across the street in a border town, such as Nogales, Ariz., where the main street is the international boundary line. Unless regulations are made to absolutely cover such a case, it is mandatory for that officer to seize the person and carry him to the point of entry, where the offender will be given a trial.

Remember that the border patrolman can not give the suspect a ticket, as a traffic policeman gives an auto violator a ticket. Although such a person may be innocent of any wrongdoing, the border patrolman must carry or walk that person to the point of entry, and in many cases it will be many miles through the wilderness. From Jackman, Me., to the next point the points of entry are 195 miles apart, and down on the Mexican border they are often a hundred miles apart. In Montana you have got to go through wilderness, and two points of entry are 160 miles apart. The border patrolman places the person under arrest, carries him to a point of entry, and puts him in jail. The trip and trial may take two or three days,



and then the innocent offender of a mean law has to travel back home.

He may be seized again and again until he is driven off the border or pays court to possibly a brutal or officious border patrolman.

The Government can not build enough jails to house all the American and Canadian citizens who will be seized if this bill becomes a law as it is now written.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. O'CONNOR of New York rose.

Mr. PARKER. Mr. Chairman, I move that all debate on this amendment close in three minutes.

The motion was agreed to.

Mr. O'CONNOR of New York. Mr. Chairman, ladies and gentlemen of the committee, my reason for taking these three minutes is to reply to the gentleman from Illinois [Mr. DENISON]. The gentleman directs your attention to the fact that this penalty can be remitted. Of course, that is true. The penalty can be remitted, but the crime can not be remitted. The man or woman or child is still a criminal with a record, even though he or she does not have to pay the \$100.

That is the fact, and the comparison made by the gentleman of violations of motor vehicle laws is not a parallel at all. Such violations are not ordinarily crimes. The extreme offenses, such as driving while drunk or leaving the scene of an accident, are often made a crime—a misdemeanor or a felony. All of you who are lawyers know that. There can be no dispute about it. The other violations of traffic laws are offenses against municipal ordinances, similar to leaving your garbage can uncovered or to littering the public parks.

Waiving the penalty does not waive the guilt. The boy who swims across the river or the girl who skates across it is still branded as a criminal, even though he or she need not pay the \$100.

Another way to cure the outrageous criminal provisions of this bill—and I shall offer such an amendment if my present amendment does not prevail—is to strike out the provision making unlawful entry in and of itself a misdemeanor, and merely provide that such unlawful entry, even though innocent, shall subject the person to a penalty of \$100. That is what you do under your customs laws. Surely, under those laws you do not make the mere act a misdemeanor. A penalty, civil in its nature, is provided—not a crime.

In all fairness, gentlemen, I submit I am not asking so very much—either add the words "willful intent" or strike out the designation of the offense as a misdemeanor.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. O'CONNOR].

Mr. STAFFORD. Mr. Chairman, may we have the amendment again reported?

The amendment of Mr. O'CONNOR of New York was again reported.

The question was taken; and on a division (demanded by Mr. PARKER) there were—ayes 48, noes 69.

So the amendment was rejected.

Mr. O'CONNOR of New York. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of New York: On page 8, line 10, strike out "guilty of a misdemeanor."

The amendment was rejected.

Mr. LEHLBACH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: On page 7, line 26, strike out the period, insert a semicolon and the following paragraph:

"(3) Any person entering the United States on a vessel which under the laws applicable thereto is exempt, either from reporting arrival or from making formal entry at a customhouse, or which proceeds from one American port or place to another American port or place, through foreign waters, without having touched at any foreign port or place."

Mr. LEHLBACH. Mr. Chairman, I do not care to discuss the merits of this bill and I am not at the present moment concerned with that; but this amendment simply makes the bill and the practice under the bill conform to existing practices with respect to navigation on the rivers and lakes on the border; otherwise, you are inserting certain essential changes in the navigation laws which I do not believe is the intention of the committee, and certainly not the intention of the House, and being concerned, in a way, with merchant marine legislation in this House, I have offered the amendment for the pur-

post of making this bill conform with existing laws and practices with reference to navigation.

Mr. HOCH. Mr. Chairman, I rise in opposition to the amendment.

We have already adopted an amendment which, it seems to me, fully meets the situation. We have adopted an amendment to add at the end of line 23:

Or for the convenience of persons entering upon any boat, which under existing law, is not compelled either to make formal entry or to report arrival.

This amendment does precisely what the gentleman has suggested. They will be exempt under the regulations. If under present law the boat does not have to report or if it does not have to make formal entry, in either case we have already covered that under the amendment which has been adopted.

Mr. STAFFORD. Will the gentleman yield?

Mr. HOCH. I yield.

Mr. STAFFORD. Assume the case of a pleasure resort passenger boat leaving Detroit going down to Bois Blanc, at the mouth of the Detroit River, which is on the Canadian side, would the gentleman's amendment be broad enough to cover that condition?

Mr. HOCH. In order to answer the gentleman's question I will have to ask him a question. Does the boat he has in mind have to report, under present law, to a custom port of entry?

Mr. STAFFORD. I will yield to the distinguished gentleman from Detroit.

Mr. CLANCY. The gentleman has brought up the case of a large vessel from an American port to a Canadian port. If they do touch land there they must report. That is not the class of boats we are talking about.

Mr. STAFFORD. Then, I do not think the amendment of the gentleman covers that condition.

Mr. HOCH. Undoubtedly, if they do not have to report to a customhouse they are covered by the amendment adopted.

Mr. STAFFORD. I am in sympathy with the amendment offered by the gentleman from New Jersey. I do not know whether the amendment adopted by the House is broad enough or not, but I know of many merchant vessels going across the border line in Lake St. Clair and getting into Canadian waters and then coming back.

Mr. HOCH. Vessels which under existing law do not either have to make formal entry at a custom port or report arrival—if they do not have to report or make entry then they will be exempt. On the other hand, if they must report under present law, or make formal entry they would not be exempt. We do not want in this law to provide that they would not have to report, for that would be a change of the navigation laws or the customs laws.

Mr. CLANCY. The existing law does not make it a crime, because the penalty does not provide for the confiscation or the seizure or the sale of the vessel. Take a large ship and cargo worth possibly a million dollars, when it crosses through Canadian water it does not touch a Canadian port, and it is therefore not able to take on passengers and merchandise.

Now the gentleman comes along with language which says it is a crime for a vessel to enter waters of a foreign territory if it does not report at a designated port of entry upon return to American waters, and when it does not touch a foreign port.

I claim just that, and I think the Treasury Department admits my contention. They are up against it if you pass this bill as it is.

Now the amendment of the gentleman from Kansas [Mr. HOCH] covers small boats of less than 15 tons. I will say that the gentleman has been very kind in agreeing to this amendment, but, as I said before, the three Members who drew up this amendment live in the interior of the country. The gentleman from Oklahoma, the gentleman from Kansas, and the gentleman from Missouri can not be expected to know our technical and difficult border conditions.

Mr. HOCH. The gentleman is mistaken about that.

Mr. CLANCY. In this bill you are making a crime of an innocent act which was not a crime before. The mere entering of Canadian waters constitutes a crime if the offender does not report to a point of entry. The Canadian channel is the one that the big vessels use on the Detroit River and several border rivers. If we ever get the St. Lawrence waterway this terrible law will make it a crime for all Americans who travel over that waterway if they do not report to a designated American point of entry, for the channel runs through Canadian waters.

Now the Interstate and Foreign Commerce Committee does not handle nor prepare navigation laws for the House. They propose to change these laws but they never even got a report from the Department of Commerce, which is required to report to the House on such changes in the navigation laws.



Secretary Mellon urged in his letter to consult Canada and Mexico, but your committee never did that. They never even consulted the American State Department.

What do the drys care about good relations with Canada and Mexico?

But think of American business using the Great Lakes. If you want to be fair to the iron and steel companies, to the coal people, to the farmers who raise the wheat, you should adopt this Lehlbach amendment.

If you do not, you make yourselves ridiculous by sending such an unfair and unwise bill to the Senate. You are going to be pounded for six months by the innocent people injured by this bill. The Lake Carriers' Association will be informed of the bad provisions in this bill, and I hope to see this great maritime association use its powerful influence to amend this bill in the Senate.

Mr. STAFFORD. Is it not a fact that all colliers going up and down the Lakes go into Canadian waters?

Mr. CLANCY. Certainly. More ship tonnage passes Detroit than any other place in the world. More tonnage passes Detroit than goes through the Panama and the Suez Canal together, and I might add than enters the ports of Liverpool and London put together.

Mr. STAFFORD. In going through that channel they are using the Canadian channel.

Mr. CLANCY. They have to take to deep water, which is Canadian territory.

Mr. STAFFORD. Between Belle Island and Ford's plant.

Mr. HOCH. Is the boat the gentleman has in mind compelled under the present law to report to a customhouse?

Mr. CLANCY. Possibly in a technical and mistaken sense. Mr. Frank Dow, Assistant Commissioner of the Customs Bureau and expert, told me the other day when I inquired on this point that entry of Canadian waters might make a report necessary but he referred me to the Commerce Department and the expert there, Mr. Tyrer, Commissioner of the Bureau of Navigation said, "Distinctly not. The boat must proceed from a foreign port to compel report and customs entry."

Mr. HOCH. Then the gentleman wants us to change the law and provide that a boat which he says technically has to report will not have to report. He wants to give them an exemption they do not now have.

Mr. CLANCY. Members never knew when Congress drafted the law covering the report of boats from foreign waters that bureau officials might construe the law to cover all such as I have in mind, but Congress knows it now. You now have guilty knowledge, and with that knowledge it might be argued you intend to punish those big boats if you leave the law as it is. Anyway, you make a new crime of the Canadian water passage of the boat.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. PARKER. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOCH. Mr. Chairman, I repeat again that the amendment already adopted is as broad as one can word it, to cover all boats which under the present law do not have to report arrival, or do not have to make formal entry, and the gentleman from Michigan suggests that we are changing the navigation laws. I submit that by his answer to my question, he has revealed that he is seeking to change the navigation laws. He is trying to bring in a boat which, under the present law, technically, does have to report, so that hereafter it will not have to report. We want to leave the navigation laws as they are, and we want to leave any boat that has to report to a customhouse so that it will have to do it under this law. We do not want to change the law. If this boat, which the gentleman has in mind, does have to report under the present law; then we do not want to disturb that, and we want that boat to keep on reporting to the customhouse.

Mr. LEHLBACH. Mr. Chairman, will the gentleman yield?

Mr. HOCH. Yes.

Mr. LEHLBACH. Here is the situation. It is discovered now that a boat, which everyone believes did not have to report, technically is subject to report, if it sails along the channel and goes into Canadian waters and then comes back, although it does not touch at a Canadian port.

Not only that, but the practices of the navigation and customs are that that boat does not report, and nobody wants it to report. Technically, however, under the law, it has to, and if you pass this bill without this amendment, then every such boat and person must report where they do not have to now, and to no good reason.

Mr. HOCH. Then the gentleman admits that he is seeking to change the navigation laws?

Mr. LEHLBACH. I am seeking to have the navigation law as it is, because a law that is dead does not bother anybody. Now you are revivifying it and making it a source of nuisance.

Mr. HOCH. We are not changing the law in any particular.

Mr. CLANCY. What we are trying to do is to relieve these innocent persons in these innocent boats from being guilty of a crime.

Mr. HOCH. I do not yield any further.

Mr. CLANCY. How does the gentleman explain that language of Secretary Mellon referring to docks, and so forth, as new points of entry?

Mr. HOCH. I suggest in all good feeling to the gentleman from New Jersey that if the navigation law has some dead law in it, that that is work for his committee and not for ours.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was rejected.

Mr. JOHNSON of Washington. Mr. Chairman, I offer an amendment in the nature of a new section, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: After section 4, line 6, page 9, insert a new section, to be known as section 4½, and to read as follows:

"No person in the civil service transferred from any service to the United States border patrol shall lose any civil-service rating carried by him to the date of his transfer."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

The CHAIRMAN. Without objection, the Clerk will correct the numbering of the sections by reason of the addition of section 4½.

There was no objection.

The CHAIRMAN. The question is on the committee amendment to the bill as amended.

The amendment was agreed to.

The CHAIRMAN. Under the rule the committee will rise and report the amendment to the House.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAMTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11204, and reported the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. PARKER. Mr. Speaker, I move the previous question.

The SPEAKER. Under the rule the previous question is ordered. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BOYLAN rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. BOYLAN. I rise to make a privileged motion. I move that the bill be recommitted to the Committee on Interstate and Foreign Commerce, with instructions to the committee to strike out the enacting clause.

The SPEAKER. The Chair does not think that the committee has authority to strike out the enacting clause.

Mr. PARKER. Mr. Speaker, I make a point of order on that.

Mr. HOCH. I make a point of order, Mr. Speaker.

The SPEAKER. In the opinion of the Chair the motion to recommit is not in order. The question is, Shall the bill pass?

The question was taken; and on a division (demanded by Mr. O'CONNOR of New York and Mr. BOYLAN) there were—ayes 181, noes 52.

Mr. O'CONNOR of New York. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand in their places. [After counting.] Thirty-nine Members have risen—not a sufficient number.

So the bill was passed.

On motion of Mr. PARKER, a motion to reconsider the last vote was laid on the table.

The title of the bill was amended.



## SECOND DEFICIENCY BILL

Mr. WOOD. Mr. Speaker, I submit a conference report on the bill H. R. 12902, the second deficiency bill, for printing under the rule.

The SPEAKER. The Clerk will report the bill by title.  
The Clerk read as follows:

A bill (H. R. 12902) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes.

The SPEAKER. Ordered printed under the rule.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H. J. Res. 372. Joint resolution authorizing the President of the United States to accept on behalf of the United States a conveyance of certain lands on Government Island from the city of Alameda, Calif., in consideration of the relinquishment by the United States of all its rights and interest under a lease of such island dated July 5, 1918;

H. J. Res. 388. Joint resolution making provision for continuation of construction of the United States Supreme Court Building; and

H. J. Res. 389. Joint resolution making appropriations for the pay of pages for the Senate and House of Representatives until the end of the second session of the Seventy-first Congress.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12902) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes."

The message also announced that the Senate further insists on its amendments numbered 3, 11, 12, 13, 21, 22, 27, 30, 31, 33, 39, 42, 43, 47, 70, and 76 to said bill.

## PAYMENT FOR INFORMATION CONCERNING VIOLATIONS OF THE NARCOTIC LAWS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3395) authorizing the Commissioner of Prohibition to pay for information concerning violations of the narcotic laws of the United States, with Senate amendments, and concur in the Senate amendments.

The SPEAKER. The Clerk will report the bill by title and the Senate amendments.

The Clerk read as follows:

A bill (H. R. 3395) authorizing the Commissioner of Prohibition to pay for information concerning violations of the narcotic laws of the United States.

Senate amendments:

Page 1, line 3, strike out "prohibition" and insert "narcotics."

Page 1, line 11, after "law," insert: "Provided, That all payments under authority of this act to any informer in any foreign country shall be made only through an accredited consul or vice consul of the United States stationed in such country, and every such payment must be supported by a voucher with an accompanying certificate of the said consul or vice consul that the payment of the amount stated on the voucher has been made to the informer named, and at the place and time specified on said voucher."

Amend the title so as to read: "An act authorizing the Commissioner of Narcotics to pay for information concerning violations of the narcotic laws of the United States."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to

## INVESTIGATION OF BASCOM S. DEEVER

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution concerning a judicial investigation.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

[House of Representatives, Seventy-first Congress, second session, Report No. 2051]

COMPLAINT AGAINST HON. BASCOM S. DEEVER, UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF GEORGIA

Mr. GRAHAM, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, to whom was referred the affidavit and petition of William La Varre (petition No. 7604), begs leave to report and recommend as follows:

The committee reports that upon receipt of the petition the chairman appointed a subcommittee consisting of Messrs. MOORE of Ohio, chairman, SPARKS, JONES, SUMNERS of Texas, and MONTAGUE to make a preliminary examination of the charges and report back to the full committee. The subcommittee has made its examination and finds that it is unable to proceed further in the matter without being granted the usual powers given to committees of inquiry to administer the customary oaths to witnesses, to send for persons and papers, etc. Your committee, therefore, recommends the adoption of the following resolution:

## "House Resolution 284

"Resolved, That the subcommittee consisting of Messrs. C. ELLIS MOORE, chairman, CHARLES I. SPARKS, CHARLES A. JONES, HATTON W. SUMNERS, and ANDREW J. MONTAGUE, who are members of the Committee on the Judiciary of the House conducting an investigation into certain charges referred to the Judiciary Committee by the Speaker of the House of Representatives, be, and they are hereby, authorized and directed to inquire further into the official conduct of Bascom S. Deever, United States district judge for the middle district of Georgia, and to report to the Committee on the Judiciary of the House whether in their opinion said Bascom S. Deever has been guilty of any acts which in contemplation of the Constitution are high crimes or misdemeanors requiring the interposition of the constitutional powers of the House; and that the said subcommittee have power to hold meetings in the city of Washington, D. C., and elsewhere, and to send for persons and papers, to administer the customary oaths to witnesses, all process to be signed by the Clerk of the House of Representatives under its seal and be served by the Sergeant at Arms of the House or his special messenger; to sit during the sessions of the House and until adjournment of the second session of the Seventy-first Congress and thereafter until said inquiry is completed, and report to the Committee on the Judiciary of the House; and be it further

"Resolved, That said subcommittee be, and the same is hereby, authorized to employ such stenographic, clerical, and other assistance as they may deem necessary; and all expenses incurred by said subcommittee, including the expenses of such subcommittee when sitting in or outside the District of Columbia, shall be paid out of the contingent fund of the House of Representatives on vouchers ordered by said subcommittee, signed by the chairman of said subcommittee: *Provided, however*, That the total expenditures authorized by this resolution shall not exceed the sum of \$5,000."

The SPEAKER. Is there objection?

Mr. COX. Reserving the right to object, I am not disposed to take any exception to the judgment of the Committee on the Judiciary on this matter which they have had under consideration for several days, but as one who is more or less familiar with all the facts in this case I would like to say that the action of the committee is based upon the criticism of a disgruntled litigant who has been thoroughly discredited in the minds of every decent man in Georgia who is familiar with the proceedings in this case.

Mr. GRAHAM. The case has not been considered or prejudged, but the examining committee have reached a point where they want to subpoena several witnesses. It may be they will join with the gentleman in exonerating this judge from any charge or criticism whatsoever. I hope the gentleman will not stop this permission to subpoena witnesses.

Mr. COX. I do not intend to object, but I intended to make a statement in reference to the investigation. However, in view of the statement of the chairman of the committee I am not disposed to go further in commenting upon the case.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

## STABILIZATION OF INDUSTRY AND PREVENTION OF UNEMPLOYMENT

Mr. GRAHAM. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression, as amended.

The Clerk read the bill as follows:

*Be it enacted, etc.*, That this act may be cited as the "employment stabilization act of 1930."



## DEFINITIONS

SEC. 2. When used in this act—

(a) The term "board" means the Federal Employment Stabilization Board established by section 3 of this act;

(b) The term "United States," when used in a geographical sense, includes the several States and Territories and the District of Columbia;

(c) The term "public works emergency appropriation" means an appropriation made in pursuance of supplemental estimates transmitted to the Congress under the provisions of this act.

## FEDERAL EMPLOYMENT STABILIZATION BOARD

SEC. 3. (a) There is hereby established a board to be known as the Federal Employment Stabilization Board, and to be composed of the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Agriculture, and the Secretary of Labor. It shall be the duty of the board to advise the President from time to time of the trend of employment and business activity and of the existence or approach of periods of business depression and unemployment in the United States or in any substantial portion thereof.

(b) The board is authorized to appoint, in accordance with the civil service laws, a director and such experts, and clerical and other assistants, and to make such expenditures (including expenditures for personal services and rent at the seat of Government and elsewhere, for law books, books of reference, and periodicals) as may be necessary for the administration of this act, and as may be provided for by the Congress from time to time. The compensation of the director and such experts and clerical and other assistants shall be fixed in accordance with the classification act of 1923, as amended.

## BASIS OF ACTION OF BOARD

SEC. 4. (a) In advising the President the board shall take into consideration the volume, based upon value, of contracts awarded for construction work in the United States, or in any substantial portion thereof, during any three months' period in comparison with the corresponding three-month periods of the three previous calendar years.

(b) The board may also take into consideration the index of employment prepared by the Department of Labor, and any other information concerning employment furnished by the Department of Labor or by any other public or private agency, and any other facts which it may consider pertinent.

## PUBLIC WORKS EMERGENCY APPROPRIATION

SEC. 5. Whenever, upon recommendation of the board, the President finds that there exists, or that within the six months next following there is likely to exist, in the United States or any substantial portion thereof, a period of business depression and unemployment, he is requested to transmit to the Congress by special message, at such time and from time to time thereafter, such supplemental estimates as he deems advisable for emergency appropriations, to be expended during such period upon public works in the United States or in the area affected, in order to aid in preventing unemployment and permit the Government to avail itself of the opportunity for speedy, efficient, and economical construction during any such period. Except as provided in this act such supplemental estimates shall conform to the provisions of the Budget and Accounting Act, 1921.

## WORKS ON WHICH APPROPRIATION USED

SEC. 6. Public works emergency appropriations are authorized and shall be expended only—

(a) For carrying out the provisions of the Federal highway act, as now or hereafter amended and supplemented;

(b) For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore or hereafter authorized as may be most desirable in the interest of commerce and navigation;

(c) For prosecuting flood-control projects heretofore or hereafter authorized; and

(d) For carrying into effect the provisions of the public buildings act, approved May 25, 1926, as now or hereafter amended and supplemented, in respect of public buildings within and without the District of Columbia.

(e) For prosecuting other public works, similar in character to those mentioned in subparagraphs (a) and (b) above, but provided for in other acts as now or hereafter amended and supplemented.

## APPROPRIATIONS AUTHORIZED

SEC. 7. There are hereby authorized to be appropriated such sums as are necessary for expenditure on public works to aid in preventing unemployment during any such period of business depression, not in excess of \$150,000,000 in any one fiscal year, and such further sums as are necessary for the administration of this act.

The SPEAKER. Is a second demanded?

Mr. BLANTON. Mr. Speaker, I am against both the bill and the amendment, and I want some time to oppose it.

Mr. CELLER. Mr. Speaker, I demand a second, as a member of the committee.

The SPEAKER. Is there a member of the minority of the Committee on the Judiciary who is opposed to the bill?

Mr. CELLER. I am, Mr. Speaker.

Mr. BLANTON. Mr. Speaker, I raise the point of order that the gentleman from New York [Mr. CELLER] is in favor of the bill as it was originally drawn, so I am informed.

The SPEAKER. The Chair will recognize the gentleman from New York [Mr. CELLER] to demand a second.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that a second may be considered ordered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GRAHAM. Mr. Speaker, this bill as it came from the Senate was amended beginning at section 10 down to and including line 4 on page 10. The deleted part is what is called advance planning, and after careful consideration by the Committee on the Judiciary those pages were stricken out as being utterly unnecessary.

The bill had all the powers needed to promote its purpose without the sections referred to in the bill.

I have letters from the different departments affected by it, but will at this time only call your attention to two of them. One department which will be affected by the passage of this bill in its unamended form is the Treasury Department. I have a letter from the Secretary of the Treasury, to whom the bill was referred when received by the Committee on the Judiciary, in which he says:

For your information comment is made on that portion of the bill S. 3059, which affects work in connection with public buildings in the Treasury Department, particularly in regard to making preliminary reports as to the desirability of public building construction projects and advance preparation of detailed construction plans.

It is the fact that construction projects are already being submitted considerably in advance of execution. Three installments of public buildings under the public-building program authorized by the act of May 25, 1926, have been submitted to Congress and authorized, involving a total of \$249,505,069. A fourth installment, involving \$121,050,800, is now before Congress for authorization; and a fifth, involving approximately \$50,000,000, will be submitted at the next session of Congress. Before these installments can be submitted it is necessary to make a survey of housing conditions, in many instances such surveys being made personally by representatives of the Treasury and Post Office Departments.

The Office of Supervising Architect is now working to its full capacity, and is augmenting its resources by the employment of private architects in order to carry out authorized projects.

To prepare drawings for a building, the first requisite is to obtain title to a site, and this in most cases is a time-consuming process. The preparation of drawings and specifications for a building costing, say, \$500,000 consumes the services of 15 architects, engineers, and draftsmen for at least five months, and our present resources are strained to the utmost to keep up with the present work. For this reason, to carry out advanced planning for buildings to any large extent at the present time, in addition to that now contemplated, is not feasible with our present resources. There is, of course, the further question, whether plans for buildings made considerably in advance of contemplated construction will be wholly suitable for the requirements when construction is eventually undertaken.

A letter from the Department of Labor shows that these sections might properly be eliminated without any injury to the bill or destruction in the slightest degree of its purposes. I shall refer briefly to the letter from the Secretary of Agriculture, which reads as follows:

After a careful consideration of the general policy of expanding public works to provide opportunities for employment at times of lessened industrial activity and particularly what may be called emergency highway work, this department is inclined to the belief that such work must be carried on through existing agencies and organizations if it is to be economically or efficiently done. An emergency organization to expend money for public works is nearly always wasteful; therefore, anything that is done to avoid waste must be carefully planned, accurately timed, and be controlled by the organizations already established to carry forward such work.

The Federal Government now cooperates in the building of highways with the States through the State highway departments and, under the terms of the Federal highway legislation, the States initiate Federal-aid projects. It is the opinion of the department that any contemplated enlargement of the road-building program to offer employment should be handled in accordance with the present plan of administration, and only with the full cooperation and participation of the States themselves. Any other plan would result in waste and inefficiency. It is believed that a plan for a reasonable expansion of the cooperative road building could be worked out between the Federal Government and the States, but before it would be possible to enact effective joint legislation,



the matter would have to be thoroughly considered with the State highway departments.

At the present moment the department is in a position to release upwards of \$100,000,000 for cooperative road building as fast as projects can be submitted by the States and be approved, so that it would appear that no emergency action is needed so far as road building is concerned, and our study of section II indicates that probably better results might be secured were this section eliminated from the bill.

After discussion in the committee, the bill was amended by striking out the useless and unnecessary clauses.

Two minority views were filed, one by Mr. CELLER of New York, and the other by Mr. LA GUARDIA, but both gentlemen have stated frankly that they are in favor of the passage of the bill.

S. 3059 as reported from the Committee on the Judiciary of the House of Representatives June 19, 1930, still retains the board called "Federal Employment Stabilization Board," composed of three members of the Cabinet, who presumably would individually or jointly do what this act covers at any time whether or not such an enactment existed.

The elimination of section 7 does not in any way affect the work of the Department of Labor because such an index as is therein contemplated is already being prepared and published monthly by that department and has been for a number of years.

The elimination of section 8 is immaterial in that it does not add anything to the present powers of the Secretary of Labor.

It is already true that the Secretary of Labor may have upon his request statistics collected or compiled by any executive department, independent commission, etc., and that he may already utilize such statistics when gathered by any State or private industrial, commercial, or other association when such become available; and there is nothing in this act which would require private associations of the character named to furnish the Secretary of Labor statistics in advance of their regular publication; nor is there anything in this section which would require an executive department of the Government to do for the Secretary of Labor any statistical work on employment which that department has not already done—periodical investigations of agricultural employment, for instance. The inclusion or elimination of this section, therefore, does not concern the Department of Labor.

The omission of any reference to the time lost in advertising for bids, the neglect to authorize the Government in the act to proceed with public works without resort to advertising for bids and letting of contracts, tends to interpose delay in the execution of the purpose of the bill.

The bill appropriates no money, but authorizes an additional appropriation during business depression, which, however, must be regularly appropriated as any other construction funds, this act simply limiting the amount of additional money which can be so appropriated in any one year. The difficulties in expediting public works, which consist largely in the time required to get appropriations through Congress and awarding the contract for the work, are not mitigated by this act.

Under this rule the bill can not be amended during its passage, and I hope the Members will speedily send it on its way.

Mr. BLANTON. Will the gentleman yield?

Mr. GRAHAM. I yield.

Mr. BLANTON. The distinguished chairman stated that the gentleman from New York [Mr. CELLER] is in favor of the passage of the bill. Does not the distinguished gentleman from Pennsylvania believe that those who are opposing this bill ought to have at least five minutes to register their protests against it? All of the 40 minutes time is controlled by the gentleman from Pennsylvania and the gentleman from New York [Mr. CELLER]. Those few of us who are against this bill have no time whatever to oppose it.

Mr. GRAHAM. I agree with my friend from Texas.

Mr. BLANTON. I have only been able to get a promise of two minutes from the gentleman from New York [Mr. CELLER].

Mr. GRAHAM. If the gentleman wastes all the time, I will not have any to give him.

Mr. BLANTON. Will the gentleman yield me five minutes?

Mr. GRAHAM. I am inclined to do it. If I have any time left, I will yield the gentleman at least three minutes.

Mr. CELLER. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. CULLEN].

Mr. CULLEN. Mr. Speaker and Members of the House, I presume that the bills that are before us dealing with the economic and unemployment situation throughout the country are the most important pieces of legislation that could be considered by this Congress to-day. How can we legislate seriously on a great problem of this kind in 40 minutes under the rules

of the House? These bills should be under debate and treated with the seriousness and importance which they deserve.

The Senate, after long hearings and discussions, passed the three bills introduced by Senator WAGNER, of New York, unanimously and without any amendments. They came to the House and the great Judiciary Committee of this body gave long hearings, and after due deliberations with themselves they reported the bills; but how?

The bill providing for the taking of statistics of all industries came through the Committee on Labor without damage or amendment whatsoever. It is to be regretted that the three bills were not referred to the Committee on Labor, which, after all, was the proper committee for the consideration of these bills.

Senate bill 3060, to provide for the establishment of national employment agencies throughout the United States, was referred to a subcommittee of the Committee on the Judiciary. It was reported out with amendments to the House and now quietly rests on the calendar without much hope of bringing it before the House for a vote unless our distinguished chairman of the Judiciary Committee [Mr. GRAHAM] brings it up under suspension of the rules; and I sincerely hope that he will ask to bring the bill up so that the House can vote on it before adjournment.

The bill before us, Senate 3059, the title of which reads, "To provide for advance planning and regulated construction of public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression," is under consideration, but the heart is cut entirely out of the bill, thoroughly emasculated, by striking out all of the sections providing for advanced planning, building, and construction of all kinds, and leaves us nothing but a hollow shell, practically nothing but the enacting clause.

I am astonished that this bill should come out of the great Judiciary Committee in the form it is now in. It has gone through the most skillful legislative surgery that I have ever seen, and in the form that it is in it is absolutely useless and meaningless legislation to mitigate the unemployment situation throughout the country. Let me say to my dear friends the Members of the House that this legislation is being watched very carefully throughout the country. It is being observed by the labor unions and other organizations who have the unemployment situation thoroughly and sincerely at heart. Mr. Green, president of the American Federation of Labor, appeared before the Judiciary Committee and advocated the passage of the bills in their original form. It was advocated by the industrial commissioners of the United States, and particularly that State where the Senator comes from, the State of New York, by Mrs. Frances Perkins, New York State industrial commissioner, who is conceded to be an authority on this subject.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Speaker, I yield the gentleman one additional minute.

Mr. CULLEN. I sincerely hope that when this bill goes to conference—and I hope it does go to conference—the conferees will restore the bill to its original form and make it of some meaning, give to it the power it should have, and instead of taking the teeth out of it restore the teeth and let us have the bill as it passed the Senate. I hope the conferees, after it goes to conference, will take notice and give us the bill as it originally came from the Senate. [Applause.]

I am going to vote for the bill, accepting it, as a half loaf is better than no bread at all, and yet hoping that the conferees will restore the bill to its original form.

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. CELLER. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. BOYLAN].

Mr. BOYLAN. Mr. Speaker, ladies and gentlemen of the House, we all admit that unemployment is prevalent throughout the country. Many Members have spoken in regard to this situation and their remarks have been printed in the RECORD with reference to it, so I will not take part of my time to say anything further about it, any more than to say that the junior Senator from the State of New York [Mr. WAGNER] introduced a trinity of three bills. Three bills that are interlocked. In order to get the full force and effect of them you must pass the three bills. The learned Judiciary Committee failed to report the most important of these three bills, namely, the bill to establish employment agencies throughout the States in cooperation with the Federal Government.

Before us to-day we have a skeleton bill. Speaking anatomically, we might say that we took the body, cut the head and tail off of it, and then tried to put the head and tail together as an entire body. The very body of this bill has been cut



out. You have cut off all advance planning. The learned committee says, "Oh, when the exigency occurs then we will have advance planning." How can you have advance planning when you are not going to plan until a very dire necessity is presented and when unemployment is on your doorstep? It is utterly ridiculous.

The Treasury Department says: "Oh, you must not get away from the old, conservative style. You know, we have got to keep the old red tape working. We must unwind carefully, only a yard or so a day, in order that the even tenor of our ways may not be disturbed. We can not be bothered with the spending of \$150,000,000 at one time. The shock of it would be too great. Therefore, we must proceed in an orderly manner, and we are going to proceed in that way." Then, by the time they reach the point when they are going to give aid, the poor unfortunate fellow out of employment will be dead and buried.

So it is with the Labor Department. At first they said, when Senator WAGNER started his crusade for these bills, "There is not so much unemployment in the United States as the Senator states." After several weeks they admitted there was considerable unemployment. But they want to proceed along the same lines with the staid Treasury Department. They say, "Let us move very slowly. Do not upset our organization in any way, because we must proceed with deliberation." Then, by the time they are ready to give aid, the poor unfortunate unemployed fellow has passed on to that country from whence no traveler e'er returns.

Our only opportunity to help the unemployed is to pass this bill and then let it go to conference, as my distinguished colleague from New York [Mr. CULLEN] said. Then we hope that august body at the other end of the Capitol may revivify it so that the body will be added to the head and tail, and that it will come back to us; then we can agree to the conference report and pass it. [Applause.]

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Speaker and Members of the House, in the first sentence of the Federal Constitution it is stated that the people of the United States established the Constitution—

In order to . . . establish justice, . . . promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, . . .

The words which I have quoted express a most worthy and noble purpose, a purpose which, if earnestly, honestly, and intelligently carried out would assure the happiness of the American people.

It is well, as times, for the Nation, as it is for individuals, to consider whether or not it has fulfilled the purpose of its existence.

The area of the United States to-day is more than four times greater than it was at the birth of the Nation; the wealth of our country is more than six hundred and fifty times as much as when the Government was established. The wealth-producing power of man has increased as if by a miracle. Notwithstanding all this, however, the great mass of people are wearied and worried with the effort to make a comfortable living.

Why is it, then, that with the fabulous increase of the country's wealth, with the power of men to produce wealth greatly increased, we see to-day millions of people in want and almost everyone haunted by the fear of want?

Let me try to explain briefly why it is that with the great increase in wealth in the country and with the increase in the power of men to produce wealth it is nevertheless a glaring fact that the great mass of the people are hardly making a living.

First, let me call attention to the fact that in 1790, just after our Constitution was adopted, the average person's proportion or percentage of the total wealth of the country was fifty times greater than the average person's proportion or percentage of the wealth of the country to-day. It is a fact also that the average person to-day produces many times as much wealth as was produced by the average man at the time this Government was established.

Unemployment has long been increasing, and to-day it is the most serious problem confronting the Nation. Senator WAGNER, of New York, has introduced three bills dealing with the subject of unemployment. One of his bills, S. 3061, proposes means for procuring reliable statistics as to the number of persons unemployed. His bill S. 3060 provides for the establishment of Federal employment agencies, and his other bill, S. 3059, provides for the hastening of the Government building program. I favor the passage of these measures. The first two bills, S. 3061 and S. 3060, will give us reliable information and employment offices, which will make it possible to put some of the unemployed more quickly in touch with possible opportunities

of employment. The third bill, S. 3059, will temporarily furnish some employment. As I have already said, these bills should be enacted into law. The passage of these measures, however, while of some value, as already explained, would not furnish any general or permanent cure for the great evil—unemployment.

Let me discuss briefly an important if not the chief cause of unemployment. A little consideration must convince any intelligent person that improved methods of production are reducing the number of men previously required to do certain work. Again and again we find that improved machinery enables a few men to produce the goods and perform the service which before required the labor of many men. These changes in methods of production cause many thousands of men to be thrown out of employment each year, and many thoughtful observers estimate that to-day there are about 6,000,000 unemployed persons in the United States. Millions of honest, earnest, and capable men are walking the streets and highways of the country anxiously, wearily, but in most cases unsuccessfully, seeking opportunity to earn bread for their families.

What then is to be done about this condition? Is there no remedy? Already we are beginning to hear suggestions about preventing the use of machinery. Some are beginning to argue against the adoption of more efficient methods of doing business. Can we safely accept such suggestions and arguments as these? Let us not forget that when China had the most advanced civilization in the world she too had the problem of unemployment. China then adopted the plan of preventing by law the use of machinery in producing goods and supplying services. Behold the result. From its high position as the leader of civilization it has come to its present troubled condition. No, my friends, you can not remove the evil of unemployment by going back to the state of ignorance which existed during the dark ages. To forbid the use of machinery would surely cause the human race to fall back to that state of ignorance.

To prevent the use of machinery would mean that it would be useless for men to try to discover and to try to understand the principles which govern the universe so that they may be used to provide for the convenience and increase the comfort of the human race, for if people were not allowed to use machines there would be no reason for making them. If it were useless to make machines then there would be no incentive and no desire to discover and to understand the principles governing the universe, for men will not strive for that which they know in advance can be of no benefit.

Men patiently search for and try to understand principles because they desire to put them into practice for the benefit which would result.

If, however, men were to stop trying to discover and trying to understand the principles governing the universe, they would stop thinking, and then they would begin to sink in the scale of intelligence toward the level of the brute, for to fail to know principles is to fail to know the truth—the true nature of existence. The purpose of life, however, is to know and to realize the truth—that is, the true nature of the universe, including man. It has well been said that "ye shall know the truth, and the truth shall make you free."

Notwithstanding, however, the certain decline of civilization, if the use of machinery were stopped by law, no thoughtful person can fail to see that those who constitute the employee class, and who are far more than the majority of the population, suffer great injustice as a result of every improvement in the mechanical means of production. Every successful machine that is invented turns out of employment a substantial number of persons. Then, of course, the larger the number of unemployed persons in the world, the greater is the demand for—or competition for—employment. That increased demand for employment results in smaller wages and less desirable working conditions for those who are employed. So the result is a large number of unemployed persons and less pay for those who are employed.

What, then, is the remedy for the evil of unemployment?

As we have already seen, it would clearly be wrong to prevent by law the adoption of less expensive methods of doing business or to forbid the use of machinery. On the other hand, no one having the least sense of decency and justice would insist or assume that millions of people should be compelled to suffer hunger, decay, and die because of the impossibility of finding employment.

If, then, the use of machinery is right, and yet the use of machinery reduces the labor needed for production, what is the explanation of the trouble which makes it impossible for millions of men to find employment? What constitutes the injustice?

The explanation is that the few persons who control the natural resources and the agencies of production have been able



to take, and have taken, as additional profits, what was before paid to labor, which is no longer needed because of the use of machinery and of more efficient methods of production. This is the reason for the fact that instead of making the burden of mankind easier, the opportunities for employment have wrongfully become fewer and consequently men's worry and fear of want have been increased.

Only a short time ago machinery was constructed which, operated by one man, will do the work which until now required the labor of almost 100 men. Look about you and you will see on every hand machines which have greatly reduced the number of men formerly needed in production. Nor is it true, as some claim, that it requires as much labor to make machines which reduce the labor employed in production, as was needed for like production before the use of machines. If that were really so, there would be no reason for using machinery, because the total cost of production would still be no less.

Surely then it is unjust, it is wrong that the few who control the resources and agencies of production should be permitted to take for themselves, for their own profit, an amount of money equal to the wages previously paid to labor, which, because of the use of labor-saving machinery and other improved methods of production, is no longer required.

The benefits which come from the use of machinery and from improved methods of conducting business should be distributed fairly, justly, among all those who are engaged in any way in the business which uses the machinery and new methods. That means, of course, that the right of the employer, as well as of the employee, should be respected, for I would not even think of approving a suggestion that the owner of a business should be deprived of any just reward. Let me say, however, that justice must be determined according to scientific principles—must be based upon the moral law. So, therefore, the justice of a claim to compensation or reward must be established in accordance with the moral law.

The right to compensation or reward is and must be based upon the fact that the person who claims the right to it has given service equal in value to such compensation or reward.

To what, then, according to the moral law, is the owner entitled? As a matter of course, he would be entitled to all the proper expenses of operation. Certainly, too, he is entitled to interest on the amount of money he may have prudently invested in buildings and equipment. If he must pay the bank interest for the use of money spent for buildings and equipment, surely, from the income of the business, he is morally entitled to receive what he has paid as interest. If, on the other hand, he invests his own money, then, from the income of the business, he should receive interest on the money so invested. Finally, for his service in managing the business the owner must be paid a salary equal to the value of the service he may have given in such management. The salary may be large or small, according to the quality and amount of service he may have given in conducting the business. Certainly it is only because of the valuable nature of the service given by him in the management of the business that the owner can justly claim a correspondingly large income.

Now, my friends, when from the total amount saved in wages of labor the owner is allowed the interest on the money paid for machinery, then the amount of the increase in the salary for management and also a just amount to compensate for the depreciation of the machinery, would it not be absolutely just that all of the employees' hours of labor should be reduced by a percentage equal to that represented by the total reduction in the cost of operation of the plant, a reduction which results from the saving of labor because of the use of machinery? The percentage of reduction of each employee's hours of labor would be almost as much as the percentage of reduction in the total amount of labor of the plant on account of the use of machinery.

To illustrate, let us suppose that, in the shoemaking industry, machinery were invented which would lessen the amount of labor required before the invention to produce a certain number of shoes. Suppose, for example, that it should require 20 per cent, or one-fifth less labor, than was needed before the use of machinery, to make the same number of shoes, or in other words, before the use of the invention, 100,000 men were employed to make the shoes produced, and with the use of the new machinery only 80,000 men were needed to make the same number of shoes, then it would be fair that the hours of labor of each employee should be reduced by 20 per cent, less such time as would equal the value in money of the allowances to which we have said the employer would be justly entitled. With this reduction in the hours of labor of every person employed before the use of the invention, then practically the same number of employees would still be required to produce the same number of shoes. If this plan were followed in every industry in which

new machinery should happen to be used and improved methods of operation adopted, is it not clear that it would not be necessary to discharge anyone except for misconduct? No longer, then, would anyone need to suffer from enforced idleness. General unemployment would then cease to exist.

Now, would there be any injustice in such a change in the basis of the distribution of the benefits resulting from the use of machinery and of improved methods of production?

We have long boasted that the increase in general intelligence should be for the common benefit of the people. We have been told that the application of this intelligence through the use of machinery should lighten the burden of mankind generally. To what extent then has the advance in general intelligence been a common benefit? How much has improved machinery lightened the burden of mankind? The increasing ranks of the idle and the worried look of the great majority of the people answer the questions.

As is the case, of course, in regard to every form of injustice, practically everyone agrees that the benefits resulting from society's increased intelligence should not be monopolized by the few. Almost always, however, objection is made when there is offered a definite proposal to correct a specific wrong and we are, therefore, reminded of the poet's words:

Preach about the other man, preacher; not about me.

Nevertheless, right will finally triumph; and, as is always the case, it will be found that what is just is best for everybody.

Let us consider now for a moment the results of abolishing unemployment. Almost immediately wages would rise to a reasonable standard because there would be no army of unemployed clamoring for other men's jobs and offering to work for less wages. When practically all of the people are employed and receiving good wages they naturally desire to buy, and do buy freely, whatever adds to their comfort and convenience. This increases the business of merchants of every kind, and the merchant naturally buys more and more from the manufacturer and producer. This increased demand for the manufacturers' goods and the agriculturalists' produce makes for better incomes for the employers and producers and better wages for employees who are thus still better able to buy what they want and improve their standard of living.

With such a condition established, with the fear of want banished, people would cease to be money mad and would naturally turn to the cultivation of the mind as the source of true happiness. Sickness and crime would lessen rapidly with the removal of the cause of worry and tenseness of mind. In short, the human race would develop normally but rapidly toward a lofty standard of existence.

I have pointed out one of the chief causes of unemployment. I have explained the nature of the injustice which results in the paralysis of industry and increases the evil of unemployment. The clear explanation of a wrong leads quickly and surely to the application of the proper remedy. Many true reformers have proposed a fundamental change in our system of land tenure, which, without doubt, would in time abolish unemployment. Others advocate a change in our Constitution which would enable Congress to limit the number of hours per day which men can be required by employers to work. The able and courageous members of organized labor have worked long and patiently to improve the condition of those who work for a living. Great credit is due them for the many benefits enjoyed by labor to-day, which, a generation ago, only a few thought possible. Organized labor will certainly see the advantage of striving for shorter hours of labor, and even shorter weeks if necessary, in order to remedy the injustice which exists because a few monopolize or control the natural resources and agencies of production, and are therefore able to force men to work for less than what is just.

The struggle in the industrial world has so far been mostly in regard to wages, but in the future there is sure to be more attention given to the hours of labor. When the struggle by labor is for increased wages only, the difficulty is that labor must finally pay any increase which may be granted. The shoe workers, for example, may force a 10 per cent increase in wages. The employer naturally adds the increase to the price of his shoes. Of course, the few millionaires do not constitute the market for shoes. On the contrary, practically all who purchase shoes are workers of one kind or another. The people in all of the trades must therefore pay more for their shoes. Then it is not long before they all demand an increase to meet the increased cost of living, and so, although they seemingly receive more wages, they pay correspondingly more for what they buy. It is for this reason that from now on I expect to see more emphasis placed by organized labor on the demand for shorter days of work. Every shortening of the workday makes it more certain that labor will receive fair compensation.



As I have already said, the widespread unemployment throughout the country presents the most serious problem of our times. It can not be ignored. It is far more important that we find a remedy for unemployment than it is to investigate crime waves. It is more urgent that we abolish unemployment than it is to engage in long investigations in regard to stricter law enforcement. Any tendency toward crime and disregard for law will decrease rapidly with the establishment of a more just economic system.

Oh, my friends, in the spirit of true brotherhood, and with neither hatred nor malice toward any person or class of persons, let us devote our sincere thought and let us strive earnestly to abolish the injustice which results in unemployment. In doing so we would be not only helping the men who toil but would be promoting as well the best interests of the merchant and of every other class of society.

Witnessing on almost every hand the distress and fear of want suffered by men, women, and children, surely no thoughtful person can with comfort, with peace of mind, with even self-respect, refuse or fail to do his best to establish economic justice and promote a better social order.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York [Mr. O'Connor] such time as he may desire.

Mr. O'CONNOR of New York. Mr. Speaker, ladies and gentlemen of the House, on last Thursday on the floor of this House I enumerated several important pieces of legislation not yet acted upon and inquired what, if any, action was going to be taken in reference to them. Among the bills mentioned by me were the three bills (S. 3059, S. 3060, and S. 3061) relating to unemployment introduced in the Senate by Senator WAGNER, of New York, and long since passed by that body.

Two of these bills, S. 3059 and S. 3060, were referred to the Committee on the Judiciary of the House and extensive hearings were held early this month.

At these hearings the following well-known and distinguished citizens, other than Members of Congress, testified in reference to the present unemployment situation:

Dr. Henry A. Atkinson, general secretary Church Union and World Alliance, New York City.

Mr. William Green, president of the American Federation of Labor.

Dr. Samuel Joseph, College of the City of New York.

Miss Frances Perkins, industrial commissioner of the State of New York.

Dr. William T. Foster.

Prof. Paul Douglas, Swarthmore College.

Mr. John B. Andrews, general secretary of the American Association for Labor Legislation, New York City.

Mr. James A. Emery, National Association of Manufacturers.

Mrs. E. E. Danley, national board of the Young Woman's Christian Association.

Mr. Thomas F. Cadwalader, the Sentinels of the Republic.

Miss Grace E. Cooke, National Employment Board.

Mr. Fred J. Winslow, Illinois Employment Board.

Mr. Frank L. Peckham, of the District of Columbia bar.

In addition the committee received the following communications:

Communications from Manufacturers' and Employers' Association of South Dakota, submitted by Hon. C. A. CHRISTOPHERSON.

Communication from National League of Women Voters.

Article from Saturday Evening Post of February 16, 1929, submitted by Miss Grace E. Cooke.

Article from Nation's Business of March, 1930, submitted by Miss Grace E. Cooke.

Within the past few days the Judiciary Committee has favorably reported S. 3059 and S. 3060 with certain amendments.

On May 19, 1930, the Committee on Labor, to which was referred S. 3061, favorably reported that bill without amendment.

I am glad, Mr. Speaker, that the fears I expressed on last Thursday are at least partially dispelled by your expressed intention of recognizing the chairmen of these two committees to move to suspend the rules and pass S. 3059 and S. 3061, respectively. If it be true that you have no intention to recognize the calling up of S. 3060 it is to be deeply regretted, and I trust Congress will continue in session long enough to permit final action on that bill also.

Unemployment is one of the greatest disasters that can befall a community or a nation. The pay envelope is the basic index, not alone of the prosperity but the health and happiness of our entire Nation. An unemployed people are not only often hungry, without shelter, uneducated, but often restless and revolutionary. History records many resorts to depredation and even rebellion by those suffering from the lack of the necessities of life.

Charity and sentiment are not the sole emotions which should prompt a government to do all in its power to provide for the employment of its people. The prudence of a peaceful and well-organized society and the safety of a stabilized economic governmental structure should appeal to those in charge of a government when a situation of unemployment arises. The peace, the order, the patriotism of a people are commensurate with their condition of comfort and prosperity.

In these days of the alleged growth of communism and sabotage and revolutionarism it behooves those in charge of government to see to it that their people are contented. There is no more discontented person on earth than the head of a family, able and willing to work, who can not find a job. He is always a potential spark of discontent which may be set off even in opposition to his own government if his unemployment continues long enough and his family suffers want and privation. He does not need to be a communist or a socialist or a bolshevik. He can be an American of *Mayflower* stock—yet at the breaking point he becomes antieverything.

Whenever it occurs in any community or in any nation that men, willing to work, can not find a job, there is something fundamentally wrong with the social and economic structure of that community or nation.

A people regularly employed is the greatest asset of a government. A cautious government will even attempt to solve the problems of seasonal unemployment and unemployment in certain geographical areas.

The cycle usually has to make almost a complete revolution before the situation is brought home acutely to us. Since last fall unemployment has continuously increased. It is now estimated on reliable, nonpolitical authority that from 4,000,000 to 6,000,000 workers of our country can not find employment. If these be the heads of families, there are at present from 12,000,000 to 18,000,000 persons in our rich Nation who are without an income to provide the necessities of life.

The American worker does not want charity or a dole. He wants a job! Give him a job and he will provide for the necessities of his family, educate them, and bequeath them to his country to add to its greatness. Organized society, which is another term for government, should see to it that he gets his job!

These three bills were introduced in the Senate by Senator ROBERT F. WAGNER, of New York, to meet, in a measure at least, the pressing problem of unemployment. Few men in our Nation have had an experience equal to that of Senator WAGNER in the study of the problem of the worker. As a member of the Assembly and of the Senate of the State of New York, as the presiding officer of the latter body, as Lieutenant Governor of New York, as a judge of the Supreme Court of the State of New York, as a lawyer, and arbitrator in labor disputes Senator WAGNER's career has been exceptionally identified with the cause of labor.

Senate bill 3061 amends the act creating the Department of Labor by providing that the Bureau of Labor Statistics of that department shall collect and report monthly statistics relating to employment and wages in the principal industries. This public information will serve to keep the true facts as to unemployment at the finger tips of those concerned.

Senate bill 3059 provides for a system of long-range planning of public works to meet unemployment in industry. It creates a board of four Cabinet officers to advise the President from time to time of the employment situation, and to recommend in times of business depression emergency appropriations for Government works to the extent of \$150,000,000 in any one year if necessary. The practical effect of this bill will be that when there is unemployment in the private industries of this country the Government can meet the situation by pushing work on Federal highways, river and harbor work, flood-control projects, and public buildings.

It is most unfortunate and likewise unsound and unjustified that the Judiciary Committee has so amended this bill, as passed by the Senate, as to strike out sections 7 to 12. As the bill will be called up under the suspension of the rules of the House, and a motion made to pass it with these amendments, there will be no parliamentary method by which these eliminations may be restored or other amendments offered. We are forced to take or leave the bill as the committee offers it. The emergency warrants our accepting the best we can get, even though it falls far short of a complete solution of the problem.

Senate bill 3060, which, to my mind, is the most important of these bills, and which seems destined to be pigeonholed by the Republican leaders of the House, provides for a system of employment agencies throughout the country, operating in conjunction with similar agencies already set up by more than a majority of the States. One of the problems of unemployment has always been the bringing of the employer and the job hunter



together—finding the market. There may be no market for the job hunter in his own town or even his own State, while there may be many opportunities and even need for his services in another locality. Only by State cooperation or Federal unification can this nation-wide market be made available. If a man needs a job badly enough, he will be glad to take one, even though it is removed from his present place of abode.

The minority objections to the bill that it is unconstitutional and an invasion of State rights will not, I am sure, withstand a thorough consideration of the proposal. There is no provision for any force or pressure on any State which does not wish the aid and cooperation of the Federal Government. The legal questions that might arise in reference to the act seem to have already been disposed of by the Supreme Court of the United States in *Massachusetts v. Mellon* and *Frothingham v. Mellon* (262 U. S. 467), which two cases dealt with the Sheppard-Towner Maternity Act (42 Stat. 224).

To be legalistic in the face of an emergency does not appeal to the great nonlawyer portion of our people. Laws are often made and are often interpreted to fit a particular situation. They should never be a barrier to the solution of a national problem.

Mr. CELLER. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Speaker, ladies and gentlemen of the House, there is very little I can say in the time allotted, but if proper attention were given to unemployment, as has been given in this House to prohibition and border patrol, I think we would get everybody a job.

Considerable time has now elapsed since my colleague in the Senate, Hon. ROBERT F. WAGNER, initiated his campaign for a thoroughgoing investigation and solution of a problem which has been agitated in this country for almost two years. That is the problem of unemployment which affects so intimately all of us, particularly in the large cities of the United States.

Hearings were had before the appropriate committees in the Senate and some faint activity could be seen in this House looking toward a solution of the problem. Neither the Senate or the House came appreciably nearer to a real determination as to where the trouble lies and what plans could be made for the future of this problem. Now, where does the trouble really lie? Is it that the gentlemen in this House are not sincere in their effort to relieve the situation in which our country finds itself, or is it because the powers of the Federal Government to act on this problem are limited and circumscribed by the Constitution of the United States, or legislation which has been enacted by us from time to time?

For, after all, what does affect us more than the ability to make our living day by day and perhaps save a few dollars for the future or lay a foundation for the education of our children or to permit them to establish themselves in business and make it easier for them when their time comes to take their place in the affairs of this world?

For years and years the talk went around that this country offered to everyone who was so minded and who was willing to work hard and "put his nose to the grindstone," to make a living, and, in due course, to become successful in whatever he undertook to do for a living. In fact, this country primarily under the Democratic administration of Woodrow Wilson, enjoyed an unparalleled prosperity. Everybody was happy; everybody was contented, and life for most of us went along smoothly and without any undue disturbances.

Came the Coolidge administration and continued this prosperity for a while, and the Republican Party sought to strike capital from the fact that prosperity existed under a Republican President. On November 13, 1929, the city of New York and the country at large was startled when the break of the New York Stock Exchange occurred, smashing records for many years and causing widespread misery among hundreds and thousands of people. This was just a final blow to shatter all hopes for any improvement in the business situation, which has been growing from bad to worse ever since the present administration took office.

I am not blaming the administration. Perhaps any other administration would find the same difficulty but I wish it to be understood that I do not believe that the administration has done everything it could to alleviate conditions and to perform such work on its part as would restore conditions to normal. We had promises coming from the Republican side of the House and coming from the Republican members of the Cabinet that "prosperity was just around the corner"; that things were taking a turn for the better; that another week, another month, and another quarter year would see an improvement in the situation. What have been the facts? Business has been growing from bad to worse. Bankruptcies and insolvencies abound; nobody to-day has the good or bad fortune

of starting a new business or going into a new field of activity. There is a perpetual cry for relief and all agencies, local, State and national, are appealed to in order to bring some help to the masses of the people. Congress could not be indifferent to this appeal. A duty rests upon us, particularly in this party which represents more directly the people of the United States to give such help as we can. It is unthinkable that among 110,000,000 or 120,000,000 people which the census figures say our Nation consists of, we can not find employment for all who are willing to work. It is not the question of proper distribution, and if work is not to be found in one State, why should we not provide for some method by which work can be given elsewhere? If we all put our shoulders to the wheel and if we realize that the unemployment problem is a problem which affects every one of our constituents we could not leave this problem unanswered long.

Why has not this body seen fit to appoint a special committee on unemployment? Why has not this body called for public hearings on the question and inquired generally as to its causes and proper relief? I am a great believer in finding out the facts before we can apply a remedy. Unless we find the facts we shall grope in darkness and be dependent on any stray information which may come to us, perhaps from sources which are not entirely reliable and trustworthy. Why should we be dependent on stray and unofficial information if we have the means of arriving at the truth by proper and intelligent investigation?

The people of the United States have placed a burden upon us to do everything in our power to help public welfare. Only by assiduous study and sincere desire to help the people will we be worthy of the trust imposed upon us.

Before we adjourn for the summer let us bear in mind that the unemployment problem is still awaiting solution and if every one of us will occupy his leisure moments and the time during which this House will not be in session in a study of this problem, I have no doubt that very soon, we shall discover a way to put an end to conditions and steer this country to a happier future.

Mr. GRAHAM. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, the question of unemployment is the most important problem which this Congress sooner or later will have to solve, and the sooner we solve it the easier it will be to solve.

Legislation has not kept abreast with progress in mechanics, electricity, chemistry, and means of transportation. While we have improved in our methods of production, while we have labor-saving devices, we have not utilized the progress that has been made for the benefit of all of the people of the country.

The three bills introduced by Senator WAGNER, of my State, one of which is now before you, are the first steps in the legislative program for the solution of the unemployment question. They will of and by themselves not solve the unemployment question. It is not claimed that they will, but they are essential as a start.

We can not utilize labor-saving devices brought out in 1930 and apply factory conditions and hours of labor that were all right 20 years ago without causing untold injury to labor. We must have modern conditions to meet modern machinery. As labor-saving devices are installed and used for production we must necessarily shorten the number of hours per day, and we are now at that stage where we will necessarily have to come to a 5-day week, because, gentlemen, you can not have prosperity unless you have employment. If we keep all of our people employed, we will have very little farm relief to do, because one is so interrelated with the other.

So you can not talk about prosperity and judge prosperity by the stock ticker, because that time has passed. The markings on the tape of the stock ticker is no longer an index to real prosperity, which means the number of people profitably employed.

We must have uniform labor conditions in all of the States, otherwise a progressive State, seeking to cope with the situation, will be at a disadvantage from competition with other States that will draw their industries within their own borders.

The criticism directed at this bill is particularly the elimination of sections 10 and 11, and all that sections 10 and 11 do is to permit the department to plan in advance. You provide here for a stabilization board, but what use is it to have such a board if at the time of unemployment the emergency is declared and you have not the work ready to be performed?

You all know that it takes from six months to nine months for any department of the Government to prepare plans necessary for any public work. We must have all the advance planning in the blue-print stage so that when a crisis of unemployment



occurs the blue prints are ready and the departments can immediately buy necessary material and put personnel to work.

Sections 7 and 8 are provided for in the bill (S. 3061), which will be called up very soon by the gentleman from Iowa [Mr. Kopp]. That is the bill with respect to statistics. S. 3060 is the national employment agency bill. I am sorry it will not be called up during this session of Congress, but I am sure the enactment of that bill into law can not be stopped. It is one of the necessary means of coordinating the work of employment agencies. Gentleman, I will support this bill as I indicated in my minority views. I am certain the conferees will reinsert the sections stricken out by the committee. The reasons for continuing these sections are fully set forth in the report which I filed when the bill was reported and which I will now read into the RECORD.

The committee amendments take the very life and vigor right out of the bill. The committee amendments cripple and destroy the purpose of the bill. Senate bill 3059, known as the Wagner bill, is a well-thought-out and balanced plan creating the machinery and providing the means for advance planning of public works. The bill as amended by the Judiciary Committee leaves intact the machinery created by the Senate bill but takes from it the fuel and lubrication. With the Senate bill the machinery could function at full speed in periods of business depression and unemployment, while under the Judiciary Committee bill at such times it could only have the desire to function. To be specific, the bill establishes a Federal employment stabilization board, having at its head a director, assisted by such experts, clerical, and other assistants as may be necessary. The board is charged with the duty of advising the President from time to time of the trend of employment and business activity and of the existence or approach of periods of business depression and unemployment, either general or in any portion of the United States.

The purpose of the bill is to provide advance planning and regulated construction of public works, so that construction work may be commenced promptly on such public projects at times of unemployment in order to decrease unemployment and stimulate business during periods of depression. The committee amendments defeat that purpose.

The committee bill provides only for the board. It is insufficient to provide for an employment stabilization board and to give the President authority to submit supplemental estimates as he may deem advisable for emergency appropriations to be expended during such periods upon public works in order to prevent unemployment if such public works are not all planned in advance and in the blue-print stage. It will be no actual practical relief to appropriate public funds if the money can not be promptly expended in the actual employment of labor and the purchase of material for public works. Authorized public works in the course of construction may well be accelerated or increased for the current fiscal year, but never to the extent of providing sufficient work to meet a crisis, which is the real purpose of the whole plan. It is at this time that new projects, already studied and planned, must be put into actual construction.

While there may be some argument for the proposed committee amendments striking out sections 7 and 8, provided the House will take action and pass Senate bill 3061, there certainly is no justification, and the committee is unable to advance any sound argument for its amendment striking out sections 10 and 11. It must be assumed that the committee is desirous of promoting this legislation, and that being so it is puzzling to reconcile such a desire with a recommendation to take from the bill the provisions which would give life and make certain and practical the law to provide advanced planning of public works in periods of depression. The idea of the construction of public works in periods of unemployment has been repeated so often that it is now a bromide. Here is the opportunity of putting this idea into practice. If it is to be put into practice, it must be done so completely and properly. Section 10 is the advance planning section; it directs advance planning of—

"public works to be accomplished (a) in the case of river and harbor and flood-control works and projects and public-building projects by means (1) of preliminary reports, made under the subsequent provisions of this act or existing law as to the desirability of the project; (2) of annual authorizations of projects the total estimates for which are sufficiently in excess of the annual appropriations made for the work thereon to result in uncompleted projects being available for the expenditure of public works emergency appropriations when made; and (3) of advance preparation of detailed construction plans and (b) in the case of public roads projects by means (1) of advance approval of projects in accordance with the provisions of the Federal highway act, and amendments and supplements thereof, and of this act; and (2) advance preparation of detailed construction plans."

Section 11, known as the public roads project, provides:

"In addition to the projects authorized to be approved under the Federal highway act, and amendments and supplements thereof, the Secretary of Agriculture is authorized to approve emergency Federal-aid road projects for the construction, reconstruction, and maintenance of Federal-aid highways, the share of the United States in the cost of which is to be paid primarily out of public works emergency appro-

priations made for the purpose. Such emergency projects may be approved in advance of any such appropriation but only to such extent as the Secretary of Agriculture deems advisable in order that uncompleted projects for the expenditure of money so appropriated may be immediately available at the time such appropriation is made. If the amount apportioned to the State of the public works emergency appropriation made for the purpose is insufficient to meet the share of the United States in the cost of all approved emergency projects within the State, the balance of the share of the United States shall be paid out of the amount apportioned to the State from any subsequent appropriations made for Federal-aid highways.

"(b) The approval of emergency projects for roads within a State shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribution to the cost of the projects only to the extent of the amount apportioned to the State and remaining unpaid of the public works emergency appropriation made for the purpose and the subsequent appropriations made for Federal-aid highways.

"(c) The provision of the Federal highway act in respect of the apportionment of Federal-aid appropriations shall not apply to public works emergency appropriations, but the Secretary of Agriculture may apportion such appropriation among all the States or in the State in the area or areas designated by Congress in such a way as may be fixed by Congress or shall in his judgment be best calculated to prevent unemployment.

"(d) For the purpose of equalizing among the several States the amount of Federal funds apportioned under the Federal highway act, as amended and supplemented, and this act, the Secretary of Agriculture shall deduct any payment made to a State out of a public works emergency appropriation from the amount apportioned to the State out of any subsequent appropriation for Federal-aid highways.

"(e) The Secretary of Agriculture, after making the deductions authorized by this section, shall within 60 days thereafter reapportion the amount so deducted to all the States in the same manner and on the same basis, and certify to the Secretary of the Treasury and the State highway departments in the same way as if it were being apportioned under the Federal highway act for the first time.

"(f) In the event that the payment received by a State under the provisions of a public works emergency appropriation for Federal-aid highways exceeds the amount apportioned to that State out of the next succeeding appropriation for Federal-aid highways, the whole amount apportioned to that State shall be reapportioned to all the States in the manner provided in subdivision (e), and the difference between the payments so received and the amount so reapportioned shall be deducted from the amount apportioned to the State out of the next succeeding appropriation for Federal-aid highways and reapportioned in accordance with subdivision (e) and so on until the total amount so received has been thus deducted and reapportioned."

Surely anyone sincerely in favor of the advance-planning idea can not object to sections 10 and 11, above quoted, remaining in the bill. These two sections would require departments of the Government to actually plan in advance. It would naturally fall to the director of the stabilization board to keep in touch with all of the departments so that any time an emergency would occur the plans of the various departments could be so coordinated and the work allocated as to produce the results contemplated in the law. Any project of construction of importance or magnitude requires a great deal of advance planning. Detailed plans of construction can not be created overnight. Besides, if there is no advance planning and preparation in normal times there can be no complete program ready to be put into operation at the time of a crisis. Unless public works are well considered and studied any suddenly adopted program would result in confusion, waste of public funds, and perhaps the construction of unnecessary works and projects.

Sections 10 and 11 would require advance planning and preparation in normal times of public works as part of a national and comprehensive plan which could be put into operation promptly whenever an unemployment emergency presented itself. Just as the War Department has complete plans for any emergency it may be called upon to meet, so here the work must be all prepared, studied, and detailed in advance, ready to be put into immediate operation. The removal of sections 10 and 11 seriously weakens the bill. Considerable time is, of course, involved in planning for construction reports, estimates of expenditures necessary, and actual construction plans. If this preliminary work isn't actually accomplished in advance of a depression calling for emergency appropriations it would certainly delay the actual beginning of emergency work. It made progress slow and relatively ineffective last winter. It would also handicap the President in estimating the actual amount of emergency appropriations needed.

The Wagner bill, S. 3059, should be passed by the House in substantially the same form as it passed the Senate. The sections discussed should not be eliminated from the bill.

Mr. CELLER. Mr. Speaker, I yield two minutes to the gentleman from Texas [Mr. BLANTON].

Mr. GRAHAM. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, this bill authorizes the stupendous sum of \$150,000,000 to be appropriated as a solution of



the unemployment problem. It is called up in the closing hours of Congress under a suspension of rules, with only 20 minutes debate to the side, and under regulations such that not one of the 435 Members of the House may propose any amendment to it whatever. We can not change it in any particular, even if every Member of the House earnestly desired to amend it. We must vote for it just as it is. We can not dot an "i" or cross a "t." We must swallow it down like a bunch of mocking birds.

This is not the way to pass sane legislation. This is not the way to vote out of the Public Treasury \$150,000,000 of the people's money. This is not the way to help the people, for we must call on them to furnish this \$150,000,000 that we are thus authorizing to be appropriated and spent. This Government has not a dollar of its own, except that which it takes out of the pockets of the people. It must first tax the people and take their hard-earned money before it can spend it. And the people of the United States furnish this \$150,000,000. And most of it comes out of the pockets of the poor people, whom it is sought to help by this measure. It is the poor people who pay most of the bills.

No man can pull himself up by his own bootstraps. And economically no government financially can pull itself up by its own bootstraps. Debts can be settled sometimes by borrowing from Peter to pay Paul, but you can not materially help poor people without jobs by spending \$150,000,000 of their own money to create fictitious employment for them.

I realize that by opposing this bill I am incurring the renewed hostility of certain leaders of organized labor, for they are sponsoring this bill. I am one of those who has never obeyed their orders. I dare to go against them when they are wrong. I am with them when they are right. They have no better friend. But I am their real friend. I do not blindly support them. I do not blindly obey their commands. And unless you obey their commands 100 per cent they classify you as their enemy. They require 100 per cent obedience. And if you do not give them 100 per cent obedience they try to ruin you politically. And for 20 years these leaders of organized labor have tried to ruin me politically, but they have not been able to control the rank and file of labor, and the rank and file have reasoning powers of their own and they follow their own judgment and they have saved me in many a political battle, because my positions have appeared to them just and fair, and they know I am always for the under dog.

This Republican administration has recently passed into law a billion dollar tariff bill that will take out of the pockets of the poor people one thousand million dollars by an indirect tax that covers practically everything they eat, everything they wear, everything they use in their homes and everything they use on their farms and their ranches. This is not a bill that equalizes the cost of production in this as against all foreign countries. No one would object to that. I am in favor of legislation that equalizes the cost of production of every article manufactured in this country against its cost of production in every foreign land, and I am in favor of placing a tariff on every product of the farms and ranches of this country such as will equalize the cost of their production in every foreign country for I want to maintain American standards of living and American standards of wages. I do not want any American workman or any American farmer or any American ranchman to be forced to compete with the peon labor of the world. I will back to the limit all American standards.

But this billion dollar tariff burden is not such an equalizer. It is just one great big Republican Christmas tree laden with costly gifts and gratuities handed out without rhyme or reason to certain special interests, already rich and pompous, and concerning whose businesses, in most cases, there is no foreign competition, and the protection thus given them is nothing else but an unjustified bonus and gratuity.

The Standard Oil, and its subsidiary monopolies, with peon labor in Mexico and South America, are producing oil cheaper than any independent in the United States can produce it. If this administration had placed a tariff of \$1 per barrel on crude petroleum, thousands of independent producers scattered over the United States would have been placed on their feet again, and they would have given back jobs to many thousands of their employees whom they have been forced to lay off, because of the low price of oil. And this equalizer of \$1 per barrel would not have raised the price of gasoline one penny, for it is now selling for the same price that it was sold for when oil was several times its present value. But the influence of the Standard Oil and its powerful monopolies was great enough to prevent a tariff of \$1 per barrel from being placed on crude petroleum, and thousands of independents were left stranded. Had these independents been given proper consideration, and allowed to begin work anew, every community where they

operate would have been benefited. Hundreds of carloads of new casing would have been ordered. Manufacturers of it could have placed their men back on full time. Thousands of men would have been given employment trucking and hauling it out to wells. Casing crews would have been put back to work. There would have been great demand for oil-well machinery and tools and supplies. Thousands of men would have been placed on tower, and thousands would have been given jobs dressing tools, at which they make \$10 and \$12 per day.

If this Republican administration had placed a tariff of \$2 on a calf hide and \$3 on a cowhide, it would have meant much to every farmer, ranchman, merchant, and banker in the United States, and it would not have increased the cost price of shoes 20 cents per pair. Cowhides in Texas have recently brought only \$1 to \$1.25, and the present 10 per cent ad valorem means now only a protection of from 10 to 12½ cents per hide. No farmer or ranchman can afford to skin a cow for what the hide brings. Consequently, thousands of hides constantly rot on the ground and are a dead waste to farmers.

Industrial sympathizers daily preach the doctrine of creating a 5-day week in all industry, claiming that it is the only economic solution of unemployment. And then, if unemployment continued, they would advocate a 4-day week. And finally there would be some who would want a 3-day week on a full-week pay. In my judgment, this would eventually bring about the unhappiest, most unrestful, inefficient, laziest people in the world. Idleness never brings happiness. The happiest men on earth are those who work most. I work, myself, from 10 to 14 hours per day each day in the week, holidays and all, and I am happy. I would be miserable if I were idle. If you would create a 5-day week, you will find workers receiving a week's pay for five days' work from one employer and then find them hired out to another employer for their spare time. We have several thousand Government workers here in Washington, high-ups and low-downs, who work so many hours for the Government each week and so many hours each week for private employers, and this has been going on for years.

Just the other day we witnessed the amusing spectacle of a relief bill for veterans of the World War, that had been passed by this House with only 49 votes against it, and had been passed by the Senate with only 6 votes against it, and which had then been approved by this House unanimously, without a vote against it, going to the White House and being slaughtered by a presidential veto, because, forsooth, the President was afraid that it might cost \$100,000,000. And the President and his leaders forced the Republicans of this House to sustain the veto, and kill the bill, and thus leave disabled, helpless soldiers flat upon their backs, with wives and children starving. And that measure had been before the Congress for months and had been debated at length by both House and Senate.

Yet, with Republican administration sanction, because this bill could not have been called up had the Speaker chose not to have it done, this important bill, authorizing \$150,000,000 of the people's money to be appropriated, is to be passed hurriedly under gag rule, with only 20 minutes debate to the side, and very little of that given to the real opposition, and with no chance to amend or change it. Just such procedure has brought the House of Representatives into disrepute with the people. The business men of this Nation do not want their business transacted in any such way. It is just such procedure that places so many bad laws in our statutes.

No one more than I deeply regrets the unemployment situation now existing in the United States. It is heart-rending. My deep sympathy goes out to every man who wants to work and who has tried his best to find honest work but could not. Of course, there are many of them; but it is my honest, sincere belief that there are some men now unemployed in the United States not at work because they are too lazy to work. They are too indifferent. They are looking for special jobs. They are looking for easy jobs. If they can not get just what they want they will not work at all. If they can not get the exact amount of pay they ask they will not take any. If they can not work just a certain number of hours they will not take a job that requires a few minutes extra time. Laziness is one of the curses of our country. Shiftlessness is a growing curse. There is a growing tendency to get all you can and give just as little for it as possible. The old rule of doing all you can and of making yourself so valuable to your employer that he can not do without you has gone to the discard. It has been supplanted with the slogan of having a maximum production fixed on a minimum basis and punishing all who do their best. In all the work I have ever done for a private employer I have striven to produce just as much as anybody else could and to perform the work just as well as anybody else could perform it. If a man can not get one kind of work he ought to take another kind. He ought to take any kind available.



And if he can not get the wages he wants he ought to take wages that are available.

Mr. BOX. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BOX. Does not the gentleman believe that it is an economic crime with 3,000,000 men out of work to import aliens into the country?

Mr. BLANTON. Yes; I do. And it ought to stop. I am one of those who have been advocating suspension of all immigration for five years. I introduced a bill to do that in the Seventieth Congress. I wish the House could pass such a proposition now. All immigration ought to be suspended for five years. You talk about organized labor being for this bill. If you want to really help organized labor in a substantial and lasting way you ought to suspend all immigration. Foreigners are daily taking the jobs, and meat and bread, away from Americans. When organized labor is right I am for it, and will go all the way for it. When it is wrong I am against it. I have as much organized labor in my district as most of you have, but I have awakened to the fact that they do not control the elections in this country. [Laughter.] If some of you gentlemen would emancipate yourselves and become free agents, represent all of the people, represent organized labor when it is right, and be against it when it is wrong, you would all feel better. I am not afraid of organized labor, because many union men in my district are my personal friends and have confidence in me.

Mr. BOYLAN. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BOYLAN. The gentleman says he is not afraid of organized labor—does that apply to the Anti-Saloon League? [Laughter.]

Mr. BLANTON. Yes; the Anti-Saloon League does not control me—I am for it when it is right and against it when it is wrong. It has been wrong, however, in very few instances. [Laughter.]

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. McCORMACK of Massachusetts. Do I understand the gentleman to say that people are not working because they are lazy?

Mr. BLANTON. Some of them are too lazy, and they would not work long if there were plenty of jobs available. Why, I remember distinctly when a common hodcarrier here in Washington could get \$8 per day for every day that he would honestly work the streets here were lined with vagrants too lazy and shiftless to take jobs. Of course, when I said many are lazy I had in mind only a certain per cent of the several million now out of employment.

As the chairman of this committee [Mr. GRAHAM] quoted in his speech, the Secretary of Agriculture stated:

An emergency organization to expend money for public works is nearly always wasteful.

And we all know that this \$150,000,000 of the people's money which this bill authorizes to be appropriated will do the needy men now out of employment very little good. Most of it will be wasted. The greater part of it that will be spent will go in overhead. It is pulling yourself up with your own boot straps. It is just like the money our Government has recently spent foolishly painting and erecting large billboards on the highways entering cities heralding that "Prosperity must continue in the United States." Not one of these many thousands of billboards has remedied the situation a 5-cent piece. It has been money thrown away.

The statement of the Secretary of Agriculture which was read by the chairman [Mr. GRAHAM] also said:

At the present moment the department is in a position to release upward of \$100,000,000 for cooperative road building as fast as projects can be submitted by the States and be approved, so that it would appear that no emergency action is needed so far as road building is concerned.

Is the spending of this \$150,000,000 which this bill authorizes to be appropriated to be a mere gesture? Is it merely to palliate organized labor in its demands? It is a waste, and I am against it even though I incur the displeasure of labor leaders.

The SPEAKER. The time of the gentleman has expired.

Mr. CELLER. Mr. Speaker, I yield one minute to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Speaker and Members of the House, I am not concerned now with the cause of unemployment nor who might be responsible, but I am concerned with the question of securing work for those who are anxious to work and who can not find work to support themselves and families. The number of unemployed in my city has been placed at over 50,000, and this is a very conservative estimate

according to many well informed. It has reached such proportions that the labor organizations are considering limiting the hours of labor for its members so that their fellow craftsmen out of work will get an opportunity to at least earn sufficient to exist upon.

While I support this measure, what good will it do if you do not make provisions to carry out the suggestions contained therein now? Surely you do not expect to have a more acute situation than now confronts the country. Unemployment has grown until it is now a national issue rather than a local issue.

Speakers here tell you it is the tariff, some saying you have raised the tariff so high we have lost our foreign trade and there is no market for our surplus. The preceding speaker says if you had placed a tariff on hides high enough to bring a proper return to those who raise cattle you would put thousands to work. He also stated a tariff on crude oil would likewise have put thousands to work. I can not agree with his logic. A tariff on hides would not benefit unemployment, nor would a tariff on oil. What good is a tariff on oil if the people have no money to buy the oil?

I contend what we should do before adjournment is provide jobs for the unemployed. You say how can that be done? We have authorized many projects running into the billions of dollars, but in these laws you also provide that the work is to be completed within a certain number of years. Some a 10-year program, others a 5-year program. Why not consider doing these jobs in a year or two years or three years. Do the jobs now and you give work to the unemployed. Again you say, where will the money come from? If necessary, arrange for a bond issue to carry out your authorizations. Why delay flood-control work 10 years? Put enough men to work and you can do the job in 2. The same applies to the rivers and harbor authorizations. People can not secure food on promises of work 2, 3, or 5 years hence. What they want now and what they must have is employment.

The Department of Labor, in connection with the Veterans' Bureau, has opened an office in St. Louis for the purpose of assisting veterans to secure jobs. How can they secure jobs when there are no jobs to secure?

One of our newspapers, the St. Louis Star, has suggested that every business establishment engage one additional employee. That shows the situation. It is country-wide.

Congress has created a great public-building program. Several years ago you authorized a new Federal building in St. Louis. The money was appropriated for the site and a year ago the money was appropriated for the building. The Treasury Department has not even acquired the site. After over a year of dickering with the property owners condemnation proceedings were instituted. In several months the site will be in the hands of the Government. Just think of it—about two years to acquire the site.

If we will adopt a policy of "Do it now" you will help the unemployment situation. I realize that whenever you make a suggestion that we increase the national debt a cry goes up, "No"; but, my friends, we are confronted with a most serious situation. I say again that this is no longer a local problem; it is a national problem, and we should not go home until we have done something to alleviate existing conditions.

This bill carries an authorization of \$150,000,000. Are you going to make provision for the executive department to put the law to work if conditions continue to grow worse? You know that authorization and appropriations are vastly different. One says you can if we appropriate the money, but without the money nothing can be done. Why not at least place the \$150,000,000 in the hands of the President to use?

Again I say, "Do it now."

Mr. GRAHAM. Mr. Speaker, I yield one minute to the gentleman from Oklahoma [Mr. O'CONNOR].

Mr. O'CONNOR of Oklahoma. Mr. Speaker and ladies and gentlemen of the House, in the brief time allotted me I do not expect to be able to say anything that will secure very many men jobs. In fact, I do not believe that there is a great deal that we can do by legislation to solve the unemployment problem, but because of that very reason we should do immediately and wholeheartedly all that can be done.

This bill coming in under the suspension of rules is not subject to amendment on the floor, and I regret exceedingly that the committee in reporting the bill (S. 3059) has stricken out in its entirety section 10. The purpose of that section is to authorize and require the advanced planning of Government buildings and projects, so as to have everything in readiness to advertise for bids and award the contract just as soon as it becomes apparent that a condition of unemployment is increasing at a dangerous rate. When times are prosperous and private industry is making a profit and expanding there is not apt to be a serious problem of unemployment, but just so soon as an era of



profitless prosperity arises, such as we have been enjoying, private industry begins slowing down and laying off men. Industry is not conducted as a philanthropy or to give jobs; it is pursued for a profit, and when the profit disappears the industry slackens, declines, and in many cases closes down completely.

Government enterprises, however, are not entered into for a profit but for the purpose of creating and building needed public improvements.

The Government should hold back its projects from competing with private industry in times of prosperity, and then enter the field immediately and furnish employment when private industry slows down or slackens.

But it is a long journey from authorizing public improvements and appropriating money therefor before the actual work is begun. Many months and often years elapse—and it is for this reason if the Government is going to help at all toward solving unemployment it must abandon the present plan of preparing for their projects in an orderly course and then awarding the contracts when the plans and specifications are completed without regard to conditions of the labor market, and instead of that policy adopt the policy which was proposed in the bill if section 10 had not been stricken; that is, of having all the preliminary work of plans, specifications, approval of title, purchase of site, and every one of the minute details entirely determined and out of the way so that the floodgates of this reservoir of employment might be opened when needed.

In my opinion, this bill will be much more effective if the Senate conferees will insist on retaining in said bill section 10 and if the conferees of the House will recede from the House amendment striking out that section.

I have said, and I desire to repeat, that I believe there is very little that legislation can do toward relieving, meeting, and solving the unemployment situation. This is just another one of the many fields where ill instead of good comes from looking to the Government to change a situation by changing the statutory law. We will come around one of these days and recognize that such basic laws as cause and effect, supply and demand do not respond to any appreciable extent to changes in the statutory law. More immediate and lasting benefit will result from an honest attempt to face the facts and adjust ourselves to changing conditions and work for betterment of the situation by improving the basic conditions out of which the situation arises. The evil and tremendous economic loss due to unemployment is inherent in our industrial system and it can not be met and solved by legislation or by the Government, but by a newer, fuller, and better understanding of all its implications on the part of industry itself—that is to say, on the part of those who make and mold the policy of industry, who furnish the brains, the management, and industrial statesmanship which guides the course of industry.

I do not believe that the leaders of industry as a whole have fully recognized their obligation or their opportunity. Their failure to grasp the situation is due, in my opinion, to this one fact more than anything else—each industry persists in thinking of itself as a separate and distinct entity, unrelated from industry as a whole, and it is from this narrow, short-sighted standpoint that it views unemployment and all other matters affecting industry. The thing that would help industry more than anything else would establish it on an even keel, bring permanent prosperity, largely eliminate unemployment, would be for the captains of industry to cease thinking only in terms of their own industry and try to think in terms of industry as a whole and of their particular industry as only a part of that whole.

With this viewpoint it would become immediately obvious that the laying off of men or the reduction of wages was not a matter of concern solely to the particular industry involved, but that it vitally affected industry as a whole. Men who cease to produce are poor consumers. The money in the pay envelope goes to purchase the needs and satisfy the wants of the employee. Every employee is an employer, he is the real employer, because hundreds of others are employed to produce and furnish the things which he needs and will purchase if he is employed.

The fact that the men of America have largely been employed and at high wages is the thing that has given us the high standard of living in America, and it is this great home market thus established that has built our great industries.

A manufacturer of automobiles starting out on a small scale could not have built up a billion-dollar business by making cars to sell to a few capitalists. It was the millions of wage-earners, steadily employed at good wages, who could afford to own and operate a car that made the billion-dollar automobile business possible.

And we people in the oil country facing as we do a condition of overproduction, aggravated by the importation, duty

free, of cheap foreign oil, will be in a much worse condition if men, regardless of what industry they are engaged in, lose their jobs or have their wages reduced. It is the millions of workers out driving their cars, consuming the gasoline and oil which we produce, that has made the oil industry one of the country's greatest industries.

Everyone in the mid-continent field, whether he is a merchant, a farmer, a professional man, or in the oil business, will be affected indirectly and immediately by every man anywhere in the United States who loses his job or has his wages reduced.

Unemployment, then, is not merely a problem local to a community or to a particular industry and can not be met or solved by those who think of it in terms of a particular industry or locality.

It is true that no one industry could survive if it insisted on going ahead and employing men to manufacture and produce without regard to what is being consumed; but if all industries would take this attitude, then there would be no overproduction because there would be no unemployment and everybody would be employed and everybody would be consuming what the others produced.

This condition of unemployment, I fear, is not a temporary thing to be considered, met, and treated as a casual occurrence. We are probably entering into, rather than emerging from, a period of very serious transition. Mass production may just have taken the first step in its onward march, the multiplication of labor-saving devices may yet be in its infancy, the merger of capital and management and the consequent dislocation coming therefrom may still be in its swaddling clothes. All these movements have grown naturally out of what has preceded them, and in the adjustments necessitated by this rapid transition certain people will be hurt, and regrettable as this is, we must go onward; we can not put the chicken back in the shell. We can not by statutory law dam back the flood tides of natural economic law that are surging forward; but we can, if those charged with the obligation and leadership recognize this social obligation to understand and direct these forces, realize that we are all in the same boat, that industry can not permanently prosper in a country where wages are low and where men are unemployed.

Industrial statesmanship is facing the greatest challenge which it has met since the advent of the application of steam, and later of electric power. To meet this challenge industrial statesmanship must put its house in order in such a way that men who have been thrown out of work because of improved machinery and methods still can find a place to fit into industry and make their living, and further to recognize that no stable and prosperous society can exist where industry takes the attitude that there is no place in industry for men and women when they arrive at the middle age of 50.

I do not expect industry to solve this problem and meet it if they consider it from the standpoint of the individual or from humanitarian or philanthropic claims of the individual on society, but industry should wake up and realize that, from the cold, hard-headed business standpoint, the standpoint of dollars and cents, the standpoint of dividends, it is good business to find a place to work for everyone who wants to work. It is easy to recognize that the men thrown out of employment by other industries are poor customers to purchase the thing that we produce, but it is not so readily recognized that the idle men that we make are in turn poor consumers for the things the other fellow produces.

Any policy on the part of Government or industry which seeks to deal with trade and commerce, tariff, credits, or unemployment can not, of course, be sound and permanently successful if it does not take into account and give due consideration to world-wide conditions. Whether we like it or not, we are a part of the world and must weigh and measure world conditions in meeting our own. We can not live for and by ourselves alone.

But I am one that, while I believe in giving world conditions due consideration and regard, feels that the American Government and American industry's first duty is to look after the United States of America.

I question seriously the patriotism and the wisdom of the policy which is now begun by many large American industries of taking their American capital abroad and there establishing modern mass-production industries and installing American methods and machinery and employing cheap foreign labor to manufacture abroad the output of their industry for export needs.

Such a policy may make money for industry and may stabilize the loans and investments of our international bankers, but it will not bring prosperity to America. If American management, American money, and American machinery are exported to



foreign lands and there give employment to foreign labor while American citizens are left unemployed at home, the present situation will grow worse, not better. It is true that our restrictive policy of immigration has largely prevented industry from importing cheap foreign labor into this country and it may be that high import tariffs abroad have a tendency to justify manufacturers in locating their industries in such countries and thereby avoid the payment of the tariff. Of course, we have not a logical ground to complain if other countries have taken a leaf from our protective-tariff book and have decided to build up their own industries by imposing a tariff on what we export to them.

America's strong financial position, its mastery of machinery, and mass production has put us in a position where most of our industries have been able to build up and maintain lucrative foreign trade because our superior machinery and methods have enabled us to compete with manufacturers abroad in spite of their low-wage scale. It should be rather obvious that we can not do so if, in addition to their low scale of wages, we must also compete with American management, machinery, and mass production. Those industrialists who have already begun this foreign policy will either capture the entire export market in that field or they will force the loyal American manufacturers who want to stay at home to follow their lead and establish plants abroad. Such a policy, if carried out, will be ruinous to the American workingman and to the prosperity that is necessarily built upon and based upon his steady employment at home at lucrative wages.

Mr. CELLER. Mr. Speaker, I yield one minute to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK of Massachusetts. Mr. Speaker, I thoroughly agree with the remarks made by the gentleman from Oklahoma [Mr. O'CONNOR]. In the brief period allotted to me I shall undertake to answer the remarks made by the gentleman from Texas [Mr. BLANTON]. I have a great feeling of admiration for him, although I differ with him on many of the questions that come before us; but when the gentleman undertakes to say that the people of the United States who are out of employment are not working because they are lazy, I differ with him radically. In the city of Boston 50,000 people are out of work. According to the recent census, 28,000 were out of work on April 1, and it is fair to say that 22,000 more are working part time. I have sat in my office and I have seen them come into my office begging for a job. I have seen employees competing with each other for work. I have seen men with families, with a wife and children, begging for a job, and I have called up employers and they have repeatedly told me that they are laying off instead of putting on. Those people are not too lazy to work. I think the statement of the gentleman from Texas should not go forth from this chamber without being answered, and I answer it emphatically by asserting that the workers of America out of employment are not too lazy to work. They can not work where there is no work to be had.

Now, as to the bill. It authorizes but does not appropriate \$150,000,000 to be used in the event of an unemployment crisis. Ladies and gentlemen, there is not a Member here who will not say that if this bill had been passed five years ago and was now on the statute books that it would be bordering on treason not to put it into effect with four or five million of our citizens out of employment. Therefore, I say it is our duty not to leave Washington until we make this law workable and that can only be done by passing an appropriation providing for \$150,000,000 to carry out the purposes of this act. What the people want is a job, not a year or two years from now, but a job now so that they can support their wives and children. I, for one, will remain here all summer if necessary in order to put this act to work. If it is proper to prepare for future unemployment, why is it not now proper to do what we can to relieve the present situation? Again I say, let us not go home until we have appropriated \$150,000,000 and then, if the unemployment situation continues and the President does not put the act to work, it is his responsibility and not ours. [Applause.]

Mr. CELLER. Mr. Speaker, there are at the present time about three and a half million people out of employment in this country. So far as unemployment is concerned, without question we are facing an economic panic. It has been estimated that during the first quarter of the year there was a loss in wages of over \$1,000,000,000. During the second quarter that loss was repeated. The purchasing power of the country has been reduced during those two quarters by \$2,000,000,000. It is readily discernible, therefore, and the conclusion seems inescapable, that with such reduction in purchasing power we must be passing through an industrial and economic crisis.

The passage of the bills that have been sponsored by Senator WAGNER, of New York, would seem to alleviate to some extent this disastrous condition. I desire now to pay a tribute of respect to Senator WAGNER. He has worked for this legislation against opposition, political and nonpolitical; yet he has brought these measures to their present stage, and our hats must go off to him for his courage, foresight, and statesmanship. He has fought almost single-handed, and has wrung from the administration consent to pass two of these bills.

I can not go into the merits of the bills in the short time that I have allotted myself. As the Democrat in charge of time on my side, I have practically yielded all my time to my colleagues. For that reason I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, to my mind nothing is more tragic than the willing worker who can not find a job. The world, it is said, owes every man a living, but there come times when the world's obligation is not met. At the present time 20 per cent of our working population are idle. In a country as rich as ours, with its untold resources, this is amazing. More amazing does it seem in the face of increased realization that unemployment is and should be preventable. Unemployment is the result of economic maladjustment. Such economic malady can and should be cured. A government that fails to devise a comprehensive program for prevention of unemployment is criminally negligent. Our Government, up to this point, has not discharged its fullest obligation to its citizenry in the matter of prevention of this condition. We have no definite source of information at this time that can give us accurately the number of men and women hitherto gainfully employed who are now out of work. The Department of Labor feebly, very feebly, attempts to give us figures. But these figures have been proven time and again a tissue of inaccuracies, and oftentimes many in responsible positions have accused the Department of Labor of "rigging up" these statements for purposes of propaganda. How can we even hope to tackle the problem of unemployment when we may not even know how far-reaching, how deep-seated the problem really is?

There is usually a lack of public interest in the question of unemployment except in industrial crises. It is only through bread lines and increased charity cases that the public attention becomes riveted for the purpose of devising measures for emergency relief. Emergency relief is woefully insufficient. It is like endeavoring to cure a cancer with a plaster. Emphasis must be placed upon a comprehensive program against unemployment.

First, there must be set up adequate bureaus for the purpose of discovering the number of men out of employment, the number of men that should be employed, the number on part time, the number in seasonal trades, the number of men displaced by new machinery, and so forth.

Second, there must be set up an adequate number of employment offices. These offices, so far as possible, should be made noncommercial. Adequate legislation must be adopted by the State and Federal Governments for the establishment of permanent Federal, State, and municipal bureaus, so that there may be finally developed a nation-wide system of employment centers. State legislatures must be importuned to afford adequate control over fee-charging agencies. To my mind, it would be better, if it were possible, to prohibit the payment of any fees. Why take a fee from a man at a time when he is in need of a position and has little or no money, and therefore can least afford to pay one? I am informed that in some of the European countries and in five of the Provinces of Canada the government absolutely forbids the charging of a fee for the securing of a job for an unemployed person. It may be that the business of employment agencies is legitimate, and that constitutionally we can not in this country, at least, forbid the taking of a fee. We can at least see to it, however, that fee-taking is properly regulated. In most of the States there is little or no regulation.

Third, there should be provided, above all, for the purpose of anticipating unemployment, adequate advance planning and regulation of construction of public works, such as bridges, roads, and buildings, the dredging of rivers and harbors, flood-control projects, and various diverse work done along our waterways. This would tend to stabilize industry.

Senator WAGNER, the junior Senator from New York, has secured the passage by the Senate of three bills. The first, S. 3061, to amend the Department of Labor act so as to provide for proper unemployment statistics. This bill at this writing has passed the Senate and House and has been signed by the



President. There will now be set up a regular agency for the collection of periodic employment statistics covering all branches of trade and industry. Trends of employment can then be examined and carefully scrutinized. Experts could tell of the coming of an unemployment cycle just as accurately as one can tell the direction of a stream by casting a few straws therein. The coming of unemployment could thus be balked and prevented. If American industry is to assume the responsibility for "cushioning" the effects of unemployment due to seasonal lay offs and introduction of new machinery, it must make its plans for releasing unneeded labor at periods when other industries can most easily absorb it. Industrial leaders having sufficient interest in the welfare of their workers can not aid in this process unless they have adequate information to guide them. It is hoped that S. 3061 will result in giving this adequate information not only for this purpose but for other desirable needs.

The public little knows the tremendous disturbances caused not only by seasonal lay offs but by what is now known as "technological" unemployment. There is much seasonal fluctuation. For example, in the canning industry, factories are busy for short periods with long lay offs. It has been suggested that there be set up vocational-training schools, where a man may be trained in two or more crafts or fields of endeavor, so that when he is laid off from one class of work or trade, in the summer, for example, he may be enabled easily to turn his knowledge and skill to another activity in the wintertime. Under this plan much seasonal unemployment would be cut off. It is hoped that S. 3061 will bring about much desirable information along this line.

"Technological" unemployment is unemployment caused by the installation of labor-saving machinery and improved methods. For example, in the boot and shoe industry a hundred machines now displace 25,000 men. One man at the present time can turn out 32,000 razor blades in the same time that it took 1 man in 1913 to make 500 blades. In the automobile industry there has been devised a huge machine which turns out entire automobile frames which are not touched by human hands. Two hundred men supervise this machine, which completes from 7,000 to 9,000 frames a day. Note in comparison that in Europe in the same industry without modern equipment 200 men can only produce 35 frames a day. In the steel blast furnaces, with modern machinery, 7 men do the work of 60 men in casting pig iron. The mechanical musical devices of the movies and the talkies have displaced thousands of musicians. There are no longer any skilled hand bottle blowers; practically all of them have been displaced by machines. What are these men who are thus displaced to do? The Government has never concerned itself with the human factor in these mechanical times, and as a result we have a very serious social problem. These men should be guided to other employment. They should not be permitted to shift for themselves. Take the case of a musician who, say, is 50 years of age, with no occupation save that of his profession. He can not drive a truck or swing a sledge hammer. His muscles are soft. He finds himself up a dark alley, perhaps with a family of growing children. Is he to become a social derelict? Unemployment insurance perhaps might solve the problem. I do not know. Who but the Government should interest itself in the poor devils thus technologically displaced and now unemployed?

Then there is the problem of discrimination against the older worker through employment policies favoring younger people. Middle-aged workers who are denied employment because of age augment the ranks of the unemployed. These older persons must find jobs. Should not the Government help a bit to bring this about? Should there not be provided employment counsel and assistance for those displaced by youth as well as by machinery? Opportunities should be available to them in order that their abilities may be utilized in a new work, without loss of income or the lowering of standards of living.

Added to all of the above types of unemployment we have what is known as cyclical unemployment, caused by the present business depression that has disturbed and pressed in against so many of us.

An admirable remedy for all these types of unemployment is embodied in S. 3059, advocated by Senator WAGNER. This is an exceptionally well-thought-out piece of legislation, and at the hearings held before the Committee on the Judiciary, of which I am a member, there was practically no opposition to the bill in exactly the form it was presented and in exactly the form in which it was passed by the Senate, except that of Mr. James A. Emery, general counsel of the National Association of Manufacturers. The American Federation of Labor, the American Association for Labor Legislation, the railroad brotherhoods, well-known economists, social workers, industrialists, publicists

all over the country favored the legislation as presented and passed by the Senate. This bill provides for so-called advanced planning of public works. Public buildings may be erected, flood-control projects inaugurated, rivers and harbors dredged, mountains tunneled, streams bridged, roads built in order to give employment to thousands of men, so that coming unemployment crises may be headed off and prevented. Heretofore we have only concerned ourselves when the emergency arrived, when unemployment crises were upon us. Our efforts have been in the nature of teaching a drowning man how to swim. It was always too late.

The forecaster in the Weather Bureau can tell us, with almost uncanny accuracy, of the coming of a storm. With proper statistics we should be able to foretell the coming of an economic storm. To prevent it in any measurable degree public works must be gotten under way. In a word, S. 3059 will provide machinery for the initiation or hastening of Federal construction at periods when industrial activity shows signs of contraction. The fundamental requirement in such a public-works program is the existence in advance of engineering plans and machinery for placing contracts quickly, almost at the moment, when business has started on the downward grade. It usually takes months for the engineers, architects, draftsmen, and so forth to make their plans. When the plans are made in advance, however, necessary construction can be started immediately.

The first advantage to be gained from a planned system of Federal public works is the fact that it will act as a stimulus to industrial activity which will be reflected in every part of our economic system. To the argument that the amount spent by the Federal Government each year—that is, \$350,000,000 is an insignificant factor in the total construction bill of the country; that is, \$7,000,000,000—it must be answered:

The \$350,000,000 of usual Federal expenditure may mean the difference between a serious and prolonged industrial depression and a mild and temporary recession. To cite a concrete example, let us assume that when the first shadows of depression became visible in the autumn of 1929—as evidenced by the decline in the index of manufacturing production of the Federal Reserve Board from 129 in June to 122 in September—there had been ready complete plans and blue prints for the construction of Federal buildings, roads, rivers and harbors, or any other kind of project in any part of the country. Let us assume further than \$150,000,000 worth of contracts provided for in the Wagner bill had been let just as soon as the recession in industry had been noticed—that is, before the month of October had passed—for undertaking some of these projects. What would have been the practical effect?

First. Irrespective of where the work was to be done, be it the lower Mississippi Valley, the plains of Kansas, the arid region of Arizona, or the city of New York, the first result would have been the direct placing of orders for steel, cement, lumber, brick, and the products of 20 other industries whose output is used in construction work. The immediate effect, in other words, would have been felt in the major basic industries of the country. Granted that the amount spent for the products of these industries by the Federal Government would have been relatively small as compared to their total annual business, it must be borne in mind that the orders they would have received at a time when they were in the process of laying off workers would have had the immediate effect of checking further discharges of labor. In last analysis, this means that workers in virtually every industrial part of the country where iron and steel, cement, brick, copper, lead, lumber, and numerous other goods are produced who otherwise had been thrown out of employment would have had their purchasing power maintained.

Second. These workers, in turn, even though their number may not have been exceedingly large, would have continued to make purchases from retail merchants.

Third. The retailers who otherwise would have been unable to continue to buy from jobbers and wholesalers would have continued to place orders for shoes, clothing, food, and hundreds of other commodities carried on their shelves.

Fourth. These orders would have soon been reflected in the purchases made from manufacturers by wholesalers and jobbers.

Fifth. Workers in clothing factories in New York, spinners and weavers in New England, shoe manufacturers in St. Louis, automobile workers in Detroit, and tire workers in Akron would be kept on the pay rolls instead of being discharged.

Sixth. These workers, in turn, would have spent the proceeds of these pay rolls on food, clothing, automobiles, and other things for their own use.

Seventh. These purchasers would have made themselves felt further in the retail, wholesale, and manufacturing trades, with



the result that there would have been a progressively larger "snowball" of purchasing power, and employment would have been increased by a process similar to a spiral.

Eighth. The stimulus would have been felt throughout the entire economic structure, moving from the producers of the most highly fabricated products to the producers of raw materials and the farmers.

What would have happened in fact is that the \$150,000,000 of construction orders placed by the Federal Government would have grown into a purchasing power equal to many times its original size. Critics of the public-works program in saying that its beneficial effect would be limited to a relatively few workers assume that the money spent by the Federal Government, once it came into the hands of the suppliers of building materials and building laborers would disappear from circulation. The fact which should not be overlooked is that the American dollar circulates with great velocity. According to an investigation of the Federal Reserve Bank of New York, every dollar of commercial bank credit circulates 40 times a year before it disappears from the channels of industry and trade. What might seem like a small expenditure by the Federal Government will, if made at the proper moment, do a job equal to several billions of dollars.

The second effect of a Federal public-works program will be its reaction upon other divisions of the Government. It will establish an example and set a standard of performance for the States, counties, cities, and towns to follow. The expenditures of the subdivisions of the Government in the United States for construction amount to three and one-half billion dollars a year, or to 50 per cent of the total construction expenditures of the entire country. Some cities and States have already undertaken programs of planned public works. Once the Federal Government sets the pace, others are sure to follow.

The final, and in a sense one of the most important results of a Federal system of planned public works would be its effects upon the policies of American business. American business must develop a psychology of stabilized, regularized production, and steady employment must be made a "fashionable" thing. There is no better way to start this "fashion" than an example set by the Federal Government.

Mr. Daniel Willard, president of the Baltimore & Ohio Railroad, recently said, "Stabilization can be promoted more by a state of mind than almost anything else that I can think of." We must develop in America a "will to regularize." With the Federal Government pointing the way, we may look forward to the time when American business and industry will also put into effect its own "planned works" program.

I here insert my minority views on this bill, S. 3059, as same came from the Committee on the Judiciary:

I concur in recommendation that the bill pass, but desire to protest the striking out of certain vital provisions of the bill.

The bill as amended has eliminated sections 7, 8, 9, 10, 11, and 12. These sections comprise the heart of the bill, and without them it is difficult to see how any definite service will be rendered to the cause of stabilization of employment by S. 3059.

There is a disposition to minimize the present unemployment and business depression. Proclamation after proclamation is promulgated by the President and his Cabinet officers reiterating that prosperity is in the offing, and with each proclamation unemployment and business adversely increases. The administration must sooner or later face the truth. Why not do it now? "Ye shall know the truth, and the truth shall make you free."

It is rather anomalous that the title of the bill reads: "To provide for the advance planning and regulated construction, etc.," yet the vital parts of the bill providing the advanced planning are stricken from the measure. The bill, therefore, becomes a mere skeleton of its former self. It is quite unrecognizable to its sponsors. It has been handled rather roughly by its "friendly enemies."

For the last decade the President had advocated again and again "advance planning" of public works. Never has he stated that existent legislation was sufficient for the purpose. It is rather late now to smother this bill by saying that its most important provisions concerning future planning are unnecessary on the score that present law is adequate. I herewith set forth Mr. Hoover's views over the period 1920-1930:

#### CHRONOLOGY OF PRESIDENT HOOVER AND UNEMPLOYMENT

1920. Report of second industrial conference called by President Wilson; Herbert Hoover, vice chairman. Recommended: 1. Planning of public works as "one of the most useful approaches to the general problem of unemployment."

1921. The President's Conference on Unemployment: Herbert Hoover, chairman. Recommended: Leadership by the Federal Government "in expanding its public works during periods of depression and contracting execution in periods of active industry."

1923. Report of Committee on Business Cycles and Unemployment, appointed by Herbert Hoover: "The committee calls attention to the need for careful drafting of laws to insure a policy of reserving public-works projects, if it is to be done effectively."

1924. Report of Committee on Seasonal Operation in the Construction Industries appointed by Herbert Hoover: "The efforts to encourage long-range planning of public works deserve the support of the public, legislators, and administrative officials."—Foreword by Herbert Hoover.

1928. Herbert Hoover's Department of Commerce indorses the Jones prosperity reserve bill: "Enactment of the bill by the Congress would, in my opinion, encourage measures looking toward the same end on the part of the State and local governments, which would also be in accord with the unanimous recommendations of the President's conference on unemployment and its committee on business cycles and unemployment."—Memorandum by chief of the division of building and housing, Department of Commerce, submitted to the Senate committee by Herbert Hoover.

1928. Herbert Hoover in presidential campaign speeches recommends the planning of public works with a view to eliminating unemployment.

1928. Governor Brewster announces Hoover's "\$3,000,000,000 reserve-fund" program to the conference of governors "at the request of Herbert Hoover as an authorized exposition of a portion of his program for stabilizing prosperity."

And more recently another Senate committee reported in 1929. The Senate Education and Labor Committee's report upon unemployment declared: "The Government should adopt legislation without delay which would provide a system of planning public works so that they would form a reserve against unemployment in times of depression."

The purpose of S. 3059 is to create an instrumentality of Government which will keep constant watch upon economic conditions and economic trends in the United States and at the opportune moment, through the creation of public works, either tend to check any curtailment of production or lessen the period of depression once such depression appears upon the horizon.

Briefly, the bill provides for the creation of a board whose function it will be, through the use of definite statistical data which must be prepared by the Secretary of Labor, to inform the President when in its opinion business depression is approaching. In such an event, the President is requested to direct the members of his Cabinet who have charge of construction to accelerate "to such an extent as is deemed practicable, the prosecution of all public works within their control."

The acceleration of public works in order to be effective assumes that plans and blue prints will be available which will make it possible immediately to undertake construction when business conditions demand a stimulation of economic activity. Unless advance plans have been made, unless the actual working blue prints are available, no building undertaking of any size can get under way, as a practical proposition, within a period of six months.

Experience, both in the Federal and States Governments, has proved that this length of time is necessary for the creation of plans and blue prints before a single clod of earth can be upturned.

In view of the size of this country and in view of the fact that industrial depression does not fall upon all sections of the country with equal severity, it is necessary, if Federal construction is to be undertaken at points where it will do most good, that certain emergency projects be undertaken. In order to make this possible it is necessary temporarily to modify certain provisions of our laws which have to do with Federal appropriations. This is particularly true of the Federal highway act which allocates a certain proportion of Federal expenditures to the individual States. It is similarly necessary to modify the public buildings act in order that public buildings might be erected at points where the unemployment problem is most acute.

Taking up specifically the individual amendments as made by this committee, the following criticisms must be made:

(1) Section 7: This section specifically provides that the Secretary of Labor shall prepare and publish a monthly index of employment. It has been stated that the Secretary of Labor already has this power and, indeed, that he already has been exercising it. It should be noted that the Secretary of Labor now prepares and publishes an index of employment in manufacturing industries alone. His monthly index does not include the multitude of industries and boards, such as mining, lumbering, distribution, accumulation, etc., which employ millions of workers. Consequently this section of S. 3059 is a specific direction to the Secretary of Labor to prepare and publish a monthly index of employment as contrasted to the power he now has under the law creating the Department of Labor.

(2) Section 8: Section 8, relating as it does to the preparation of an index of employment, makes it mandatory upon other Government departments to give to the Secretary of Labor the power to demand from other Government departments, commissions, boards, etc., such information as is necessary in preparing a comprehensive employment index.

(3) Section 9: Although the executive branch of the Government under existing law may at its discretion accelerate Government build-



ing, such acceleration is entirely subject to the wishes and opinions of the various Cabinet members.

This section, however, imposes upon the President of the United States a specific responsibility for accelerating public works during periods of depression, and in a sense contains a declaration of policy on the part of the Congress of the United States that public works should be accelerated during such periods and coordinates such acceleration.

(4) Section 10: Any policy of acceleration of public works, in order to be effective, is predicated on the assumption that work should be undertaken at those times when they will be most effective in preventing further unemployment. As a practical matter, public works can not be undertaken at short notice unless detailed plans and specifications are available at the proper moment. This is the crux of the entire matter of advance planning of public works. Under present conditions months elapse before work can begin. Consequently, it is absolutely essential that detailed construction plans be prepared in advance for all public construction authorized by law. With such detailed construction plans available the time necessary to undertake actual construction can be cut to a minimum. Without such advance preparation the efficacy of any public-works program in coping with industrial depression becomes virtually nil.

(5) Section 11: The purpose of this section is to modify the allocation provisions of the Federal highway act in order that emergency Federal aid on road projects may be undertaken in those States where the need for relieving industrial depression is greatest. In other words, this section is supplementary to the normal Federal-aid program, and as such is obviously not contemplated by existing law. In a sense, it is a supplementary highway program to be utilized only in case of emergency and without it Federal aid for road projects could not be allocated to certain definite sections of the country where unemployment is most acute.

(6) Section 12: This section has as its purpose the same end which has been described in paragraph above; that is, that it be possible to erect public buildings in the necessitous areas without meeting the provisions of the public buildings act of May 25, 1926. In other words, Federal authorities will have the power to allocate buildings where they are most needed in time of emergency.

As to S. 3060, a bill providing for the establishment of a national employment system and for cooperation of the States in the promotion of such a system, I herewith submit the views of the majority of the Judiciary Committee, of which views I am the author:

It has been argued that there is no authority vested in the Congress to pass Senate bill 3060, which bill passed the Senate and was referred to the House Committee on the Judiciary.

This bill, in a word, sets up a national employment system in cooperation with the various States and endeavors to promote the establishment and maintenance of a national system of public employment offices; and for that purpose creates in the Department of Labor a bureau to be known as the United States Employment Service, under the control of a director general. An appropriation of \$1,500,000 is authorized for the fiscal year ending June 30, 1931, and \$4,000,000 for each fiscal year thereafter, up to and including the fiscal year 1934; 75 per cent of the appropriation is to be apportioned by the director general among the several States in proportion to their population, and the balance of 25 per cent of the money appropriated shall be available for administrative purposes. However, no money shall be expended in any State unless and until an equivalent sum has been appropriated for any year by the State, so that unless the State matches the appropriation of the Federal Government it shall not be permitted to participate in the benefits of this legislation. Moneys appropriated by both the Federal Government and the States shall be used in the maintenance of public offices as a part of the Federally controlled system of public employment offices, in cooperation and coordination with the State-controlled system of public employment offices.

It was natural that the constitutionality of this legislation should be questioned. The same constitutional question was raised against the act of November 23, 1921, called "the maternity act," which authorized appropriations to be apportioned among such of the States as accept and comply with the provisions of the act, "for the purpose of cooperating with them to reduce maternal and infant mortality and to protect the health of mothers and infants; it provides for its administration by a Federal bureau in cooperation with State agencies, which are to make such reports of their operations and expenditures as the bureau may prescribe, and that whenever the bureau shall determine that funds have not been properly expended by any State, payments to that State may be withheld."

This question of constitutionality was presented to the Supreme Court of the United States in the cases: *Commonwealth of Massachusetts v. Mellon*, Secretary of the Treasury et al. and *Frothingham v. Mellon*, Secretary of the Treasury, as an appeal from the Court of Appeals of the District of Columbia, reported in *United States Reports*, volume 262, page 447. It is to be remembered that the first case, *Commonwealth of Massachusetts v. Mellon*, was one brought by a State,

while the other case, *Frothingham v. Mellon*, was a suit brought by an individual. The court held:

"First. A State may not, as *parens patriæ*, institute judicial proceedings to protect her citizens (who are no less citizens of the United States) from the operation of a Federal statute upon the ground that, as applied to them, it is unconstitutional (p. 485).

"Second. A suit by an individual, as a past and future Federal taxpayer, to restrain the enforcement of an act of Congress authorizing appropriations of public money, upon the ground that the act is invalid, can not be entertained in equity" (p. 486).

The court therefore affirmed the original dismissal of the case.

But although the cases were disposed of on the score that there was want of jurisdiction, nevertheless Mr. Justice Sutherland, delivering the opinion of the court, deemed it important enough to express the following opinion as to the constitutionality of the maternity act of 1921:

"What, then, is the nature of the right of the State here asserted and how is it affected by this statute? Reduced to its simplest terms, it is alleged that the statute constitutes an attempt to legislate outside the powers granted to Congress by the Constitution and within the field of local powers exclusively reserved to the States. Nothing is added to the force or effect of this assertion by the further incidental allegations that the ulterior purpose of Congress thereby was to induce the States to yield a portion of their sovereign rights; that the burden of the appropriations falls unequally upon the several States; and that there is imposed upon the States an illegal and unconstitutional option either to yield to the Federal Government a part of their reserved rights or lose their share of the moneys appropriated. But what burden is imposed upon the States, unequally or otherwise? Certainly there is none, unless it be the burden of taxation, and that falls upon their inhabitants, who are within the taxing power of Congress as well as that of the States where they reside. Nor does the statute require the States to do or to yield anything. If Congress enacted it with the ulterior purpose of tempting them to yield, that purpose may be effectively frustrated by the simple expedient of not yielding.

"In the last analysis, the complaint of the plaintiff State is brought to the naked contention that Congress has usurped the reserved powers of the several States by the mere enactment of the statute, though nothing has been done and nothing is to be done without their consent."

The instant bill, setting up a national employment system, is in principle the same as the legislation embodied in the maternity act. Instead of reducing maternal and infant mortality and protecting the health of mothers and infants by setting up Federal agencies to function in the various States in cooperation with State agencies we have here a Federal agency set up to work in the various States in cooperation with the State employment agencies for the purpose of reducing unemployment and for the purpose of stabilizing labor conditions throughout the States. In both cases the State agencies make reports to the Federal Bureau. In both cases the Federal agency passes upon the efficiency with which the respective States expend not only their own funds, but Federal funds as well, to reduce unemployment and stabilize labor conditions. In both cases no State is to receive moneys out of Federal appropriations unless and until it, of its own accord, matches the Federal appropriation by a State appropriation.

Is there here a coercion or invasion of the rights of the States? In either case the States may take it or leave it. No State is asked to yield anything. There may, however, be an enticing and persuasive bait held out to the States; but that does not involve duress or force or compulsion, and any State feeling aggrieved can simply say no. It can avoid being tempted by simply refusing to join in the scheme and plan.

There is, therefore, nothing unconstitutional about S. 3060.

Furthermore, in 1917 the attention of Congress was forcibly called to the need of an adequate Federal employment system by the emergencies of the war then existing. As was pointed out by John B. Andrews, secretary of the American Association for Labor Legislation, at the hearings, at that time employers were stealing workers away from each other and it was quite essential that there be a public employment system, with local officers to carry it out efficiently. Congress appropriated \$250,000 to the Department of Labor to improve the Federal Employment Service, and the President supplemented this appropriation with \$2,000,000 from the President's emergency fund. The result was the creation of an Emergency Employment Office under Federal direction, with something over 8,000 employment offices scattered throughout the country. This Federal employment system proved invaluable to the country during the period of the war and subsequent to demobilization.

The Department of Labor, in April, 1919, called a conference to which came delegates representing the governors of the various States and the Federal Employment Service. This conference urged the continuation of the United States Employment Service as a permanent bureau in the Department of Labor, and drew up detailed recommendations for the establishment of such a permanent Federal Employment Bureau. The Kenyon-Nolan bills, introduced in Congress in 1919, embodied these recommendations. They were supported by a message



to Congress from President Wilson, who, in his wisdom, urged the necessity of legislation to meet the unemployment problem by developing and maintaining the Federal Employment Service.

President Hoover for some time past is on record as having approved a Federal employment system. In 1920 President Wilson called a second industrial conference. Mr. Hoover was vice chairman of that conference. The conference recommended "the enactment of appropriate legislation by the Congress making provision for an employment clearing house under Federal control" cooperating with State bureaus. In 1921 Mr. Hoover was chairman of the President's Conference on Unemployment. That conference recommended "an adequate permanent system of employment offices, and declared that the existing Federal provision for same was inadequate." In 1923 Mr. Hoover appointed a Committee on Business Cycles and Unemployment. That committee recommended a "national system of employment bureaus." In 1924 Mr. Hoover appointed a Committee on Seasonal Operations in the Construction Industries. That committee called special attention to the report of the President's Conference on Unemployment relative to a permanent system of unemployment exchanges.

It is interesting to note that more recently the Senate Committee on Education and Labor, after an exhaustive study, recommended that the Federal Government should provide an agency to coordinate State public employment bureaus and assist in the national functioning of the unemployment exchanges.

Unfortunately, the administration has seen fit not to consider this bill at this session. Although the bill has been reported favorably by the Committee on the Judiciary, the chairman of the Rules Committee, the gentleman from New York [Mr. SNELL], has seen fit to prevent the granting of the rule for this bill. He is the spokesman for the administration, and the responsibility for the choking off of this very desirable legislation must be left at the door of the administration.

Mr. Justice Brandeis many years ago said:

Unemployment is our most complex and most difficult industrial problem. If we are to get beyond the point of merely talking about it, we must set up definite machinery by which we may know how many are unemployed, and in what industries they are unemployed, and in what parts of the country they are unemployed. We must also provide sufficient methods for handling the unemployed, giving them jobs more quickly through a comprehensive, nation-wide service. We must also plan in advance to prevent employment contraction by a comprehensive public-works program.

The three bills adverted to would do all this. However, the administration has seen fit to neglect important links in the chain of such a program. The administration leaders, from the President down, should suffer condigned criticism for such action.

Mr. GRAHAM. Mr. Speaker, I yield two minutes to the gentleman from Virginia [Mr. TUCKER].

Mr. TUCKER. Mr. Speaker, in two minutes we can not solve the question of unemployment. But this bill has in it, if not more than "five loaves and two fishes," without the Master's power, at least something to relieve the needs of some of the unemployed.

My friend Mr. BOYLAN said that unfortunately we have cut this bill in two—cut the body out of it, leaving only its head and tail. Yes; but we have left the tail in it, and the tail carries with it, in the last section, an amount of \$150,000,000 for the starving people of this country, for several years to come. It is not a gift, but it is money that has been authorized for public buildings to be used in successive years, to be used now.

We are in a dreadful condition, Mr. Speaker, but I am heartily in favor of this bill, as far it goes; we should not despair, the conditions might be worse, and, I think, really we ought to thank God and take courage that after 16 months of a Republican administration there are only 3,500,000 unemployed crying for bread in the whole country. [Laughter and applause.]

Mr. GRAHAM. Mr. Speaker, I yield one minute to the gentleman from Illinois [Mr. DENISON].

The SPEAKER. The gentleman from Illinois is recognized for one minute.

Mr. DENISON. Mr. Speaker and Members of the House, a few days ago I expressed in this Chamber the hope that Congress would not adjourn without passing some legislation to improve the unemployment situation. I am very glad of the opportunity to vote for this bill, because I think it will do some good.

The problem of unemployment is an economic problem, and it has occupied the minds of statesmen all over the world, in other countries perhaps more than in ours. But I think Congress ought to do something to meet this situation, and as I understand it, this bill authorizes an appropriation of \$150,000,000, in addition to all other authorizations that have already been passed. Therefore it has that much merit. [Applause.]

I have said that the unemployment problem is an economic problem, and its causes are so far-reaching and so involved in the economic situation of the entire world that it is impossible for any one person, or perhaps any group of persons, to say with any kind of accuracy what its causes are. Unemployment in this country is not the fault of the Government. There is serious unemployment, and has been for several years, in practically all of the countries of the world. If the conditions were due to the policies of the governments, then an indictment will lie against all of the governments of the world. The statesmen of Europe have given their very best thought to the solution of this problem and have not yet found the remedy; and the remedy can not be found, I think, in the policies or principles of governments. The causes are economic and the remedy must be found in the operation of economic laws.

All that governments can do is to adopt such policies as will interfere as little as possible with natural economic laws, and in the meantime do all that is possible to alleviate or mitigate the suffering and other unfortunate consequences that result from this unfortunate economic situation.

I venture to say that one of the causes of this economic condition is the tremendous burden of debt that has fallen upon practically every government of the world, and particularly upon every government that participated in the World War. These governments have adjusted their indebtedness to one another and have settled down to begin the payment of their debts. This can only be done through taxation of their people, and the people of every country are now beginning to feel the excessive burdens of taxation. The world is realizing that it has to economize in order to meet the burdens of taxation, and this economy is resulting in a lessening of consumption in practically every country of the world. Lessening of consumption means unemployment for labor, and the remedy for that condition, it seems to me, must come from the expansion of world trade, a general increase in consumption of the world's products, and a general revival of industrial activities along every line of production.

There are quack doctors in political life, just as there are in the medical profession; and these quack doctors will propose all manner of visionary and impossible remedies. And the government that makes the mistake of adopting quack remedies will suffer the consequences. We should give our very best thought to the problem and do everything that is practicable and reasonable that will alleviate the conditions as far as possible until the economic conditions of the world can be restored to their normal progress.

I think that we should encourage the railroads, the public utilities, and the great industries of the country to engage, as far as possible, in the policy of building and improving; and as an example and encouragement of that policy our Government should accelerate its own building program as far as possible. This bill will go a long way in that direction, and I am glad that it has received the prompt attention of the committee, and that it will be enacted into law before we adjourn. This Congress has already authorized unusually large appropriations for the construction of public roads, amounting to something like one hundred and thirty or one hundred and forty million dollars per year; we have passed legislation authorizing unusually large appropriations for the improvement of our rivers and harbors and for the control of floods; and we have entered upon a building program for which authorizations of two or three hundred million dollars have already been made. This bill authorizes appropriations of \$150,000,000 per year for these purposes, in addition to the appropriations already authorized, for the purpose of meeting this unemployment problem, and the bill authorizes the President to call upon Congress for even larger amounts when he finds that the conditions justify them. The legislation ought to be an encouragement to the industries of the country to expand their building program and thus afford an opportunity for relief to the unemployed.

This does not mean that we are entering upon a policy of wasteful expenditures of public funds. It does not mean that we will further increase our national debt and thereby increase the tax burdens of the people in order to meet the situation. It means that we will proceed in an orderly way, but as rapidly as possible, to afford relief as far as the Government can afford relief. And in doing so, we will not unduly increase the tax burdens of our people who are now already overburdened with taxes. Income taxes, like other taxes, are always passed on to the consumers. And to materially increase our tax burdens will be to increase to the same extent the burdens on the consumers of the country, which include the unemployed themselves. The Government that borrows money and thereby piles up the tax burdens upon its people in order to relieve unemployment is merely administering a narcotic which may temporarily relieve



the suffering but does not cure the disease. Quack political doctors may urge the administration of such a narcotic, but it is the part of wisdom for us to rather do what we can to cure the disease. I am ready to support any legislation that the committees of the House may propose that will offer any reasonable hope of helping to bring about better economic conditions in the United States, so that agriculture and the industries may soon enter upon a period of progress and greater production and thereby afford employment for all of our unemployed.

The SPEAKER. The gentleman's time has expired. All time has expired. The question is on the motion of the gentleman from Pennsylvania [Mr. GRAHAM] to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### THE PRIMARY ELECTIONS IN PENNSYLVANIA

Mr. TURPIN. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TURPIN. Mr. Speaker and fellow Members of the House, I feel it my duty before adjournment of the House to call to the attention of this body a matter which affects not only the people of my district of Luzerne County but the people of the State of Pennsylvania, and indeed, of these entire United States. It is a matter which strikes at the fundamental rights of free citizenship and attempts to tear down the very bulwarks of democracy. In behalf of the people I feel compelled to voice my protest.

On May 20 last a primary was held in Pennsylvania, at which there were nominated candidates for the offices of United States Senator, governor, lieutenant governor, supreme court justice, two superior court justices, and secretary of interior; also Congressmen, and members of the Pennsylvania Legislature. Against the most overwhelming odds ex-Governor Gifford Pinchot, independent Republican, friend of the poor, champion of labor, with an official record as clean as a hound's tooth, put to rout a candidate led and dominated by the Philadelphia organization by a plurality of over 20,000 votes. It is conceded that Luzerne County, the constituency which I represent, in giving Pinchot a county plurality of approximately 27,000 votes, made possible his victory. This turn of events has so chagrined the old-line leaders and certain public-utility interests, that they have conspired to disfranchise upward of 60,000 voters in Luzerne County and approximately 650,000 electors in the State of Pennsylvania. To accomplish their diabolical purpose they have asked the courts to declare invalid all the ballots used in my county on the technical ground that these ballots bore a perforated serial number.

My colleagues, such serial numbers have been perforated in the ballots of our county since 1927. Every county official has been elected by use of these ballots; three judges of our county courts have been extended tenures of office by reason of their use; and as the Congressman of that district, I, too, was elected in 1929 at a special election through the use of such perforated ballots. Briefly, the perforated ballot consists of this, and no more: In every election district each ballot bears the same perforated number on a portion of the ballot which preserves it from mar, defacement, and illegibility. All ballots in every election district or precinct were uniform and accordingly do not violate the secrecy of the ballot, nor does it violate any of the mandatory provisions of our statutes providing for the preparation of the ballots.

Originally the ballots were perforated to overcome what was fast developing into a scandal on the part of election crooks and ballot-box thugs. Spurious, unofficial, and counterfeit ballots were printed and provided election thieves to substitute for official ballots so that the will of the voters as individually expressed by them during election day might be thwarted by the substitution of spurious and counterfeit ballots after the close of the polls. That such criminal acts might not prevail, the perforation scheme was inaugurated and has proven its wisdom by preventing and checking the use of spurious ballots since 1927. The judges of my county directed that the same procedure be followed in the last primary. The purpose of the judicial order was to prevent fraud, and did actually serve that purpose. No complaint was made by the representatives of Francis Shunk Brown to the action in perforating the ballots until it was conceived that by raising the merest and silliest of legal technicalities the express will of the voters of the Commonwealth of Pennsylvania might be defeated, the nomination stolen from Gifford Pinchot, and the day saved for public utilities in Pennsylvania. One of the leaders of the Philadelphia machine, with consummate gall and the most brazen effrontery, predicted as though he had some assurance that

when the decision of our county courts declaring the perforations legal was appealed to the supreme court of our State Brown would be the Republican nominee. Gentlemen, this is the most astounding prediction ever made by any man concerning the ultimate action of the highest tribunal of any State. It furnishes us with some concern that he were not immediately called before that high tribunal, cited for contempt of court, and placed in jail, where he rightfully belongs.

Boss Tweed in his palmiest days, reeking with the mud of political corruption, could not have concocted any more unscrupulous or putrid schemes for political advancement. If the public utilities, through their manipulations in the State of Pennsylvania, are so bold and so brazen to flaunt their audacious schemes in the faces of the millions of Pennsylvanians and thus defeat the champion of the common people, what may the people of the United States expect from this corrupt band which is now tightening about the body of America? It is time for the people of these United States to know what they are doing in the great industrial State of Pennsylvania. It is well that they should know to what extent they are going to accomplish their nefarious purposes. There is in our State at the present time the universal cry which will rise in volume to the roar of the Niagara—namely, "Stop, thief, stop."

It is not amiss to inform my colleagues that there is no law in the State of Pennsylvania prohibiting the use of the perforations which was done for the express purpose of the prevention of the commission of fraud by the election officers of the crooked districts. In the trial of the issues before the courts of Luzerne County the evidence disclosed that the perforations did not result in any fraud, did not interfere in any way with the free exercise by any voter of his right to suffrage, did not in any way or to any degree violate the secrecy of the ballot, did not prevent the ascertainment from the face of the ballot of the voter's intention, and did not enable anyone to ascertain what voter cast any particular ballot. The perforation of the ballots was done by the clerks of the county commissioner's office, who under the law are required to provide and furnish the ballots to the election officers, after direction by the judges of Luzerne County, upon application of counsel for Gifford Pinchot and as an added precaution under the supervision of the clerk to the judges and two court officers. Further, the perforating machines were impounded by the clerk to the judges in order that other ballots would not be furnished to the election officers and could not be perforated in the same manner or by the same machines as those used on the ballots that were cast by the people of Luzerne County. The public and the candidates had sufficient notice through the conspicuous newspaper articles in every newspaper of our community of the intention and the actual perforation of the ballots. No one protested nor was any summary action taken as required by law to prevent or stop the perforation of the ballots.

The only reason for such failure was that before the primary election of May 20 no one representing any candidate for public office at this primary could have dared to voice his opinion or protest against this act, which everyone well knew was done for the express purpose of the prevention of fraud. It now comes with ill will and dishonest intention that any candidate who was defeated at the polls to now say he was injured and that he should be given the nomination for the great office of Governor of the Commonwealth of Pennsylvania on the highest kind of a technicality which did him no harm. Having failed to protest before the primary election, he should not be heard to complain now.

It has not been contended that any elector in Luzerne County was in any manner embarrassed, influenced, or defrauded in the exercise of his franchise by reason of said perforations. After consultation with some of the ablest lawyers of the State of Pennsylvania, I am informed that the perforations of the ballots is not a violation of law.

Courts justly consider the chief purpose of the election laws, namely, the obtaining of a fair election and an honest return. The real test of this is whether the fundamental requirements of the ballot laws have been destroyed or fraud resulted. The purpose of the law is to obtain honest elections in accordance therewith. By splitting fine hairs in technical decisions, the courts should not strike down the vote of the people where no fraud resulted therefrom, thereby destroying the very purpose of the law.

The ballots that were counted were the ballots that were actually cast and furnished to the election officers by the county commissioners, and under the law they were required to tabulate them without raising the question of this high technicality of "perforation."

The Constitution confers the right of suffrage on every citizen possessing the qualifications named in that instrument. It is



an individual right and every elector is entitled to express his own individual will in his own way. It is never to be overlooked, therefore, that the requirements of the use of an official ballot is a questionable exercise of legislative power, and even in the most favorable view treads closely upon the borders upon a void interference with the individual elector. Every doubt, therefore, in the construction of the statutes must be resolved in favor of the right of franchise.

Should the law permit the carelessness or even the fraud of officers in charge with the furnishing of ballots to defeat the election and deprive the people of this great Commonwealth of Pennsylvania of the individual who was nominated by a plurality of their votes? For if this were to be done, the people of Pennsylvania would be required to suffer for an act in which they did not participate and which they did not sanction. By doing so, instead of punishing the officers for the violations, they would be practically punishing the voters of the Commonwealth of Pennsylvania by defeating their choice for Governor as declared at the recent primary on May 20.

Decisions of this kind would be fraught with danger by inviting some unscrupulous or unprincipled persons on the eve of an important election to perform some irregularities in the manner of the printing and supplying of the ballots to be used in a county, or in the whole State of Pennsylvania, in which a majority may determine the results in the State. Here is the embodiment of the peoples' will, the expression of the sovereign power of the people. When the application of technical rules and a strict construction of the acts of the officers in preparing the election papers and conduct of the election would tend to defeat the will of the people and change the results of an election for an important office, they should not be applied and all reasonable intendments should be made in favor of the legality of the proceedings.

The public press of the entire State of Pennsylvania is up in arms by reason of this unsportsmanship and the effort on the part of a defeated candidate, who is interested and supported by the notorious political organization, combined with the public utility monopoly, in his efforts to steal the nomination for Governor of Pennsylvania from Gifford Pinchot.

The Evening Bulletin of Philadelphia on June 14, 1930, editorially said:

[From the Evening Bulletin, Saturday, June 14, 1930]

#### LUZERNE COUNTY BALLOTS

The majority of the Luzerne County court who ordered the perforation of ballots for the recent primary were not expected to declare their own action illegal and to void the primary because their instructions were followed. So counsel for the Philadelphia organization and its gubernatorial candidate, seeking to wipe out the victory of their opponent by this technical procedure, are ready to take their case to the Supreme Court in further hope of a favorable decision.

But while the questions of law may not be settled until they are submitted before the Supreme Court, the questions of equity and fairness and good sportsmanship, which are most consequential to the average individual, do not wait upon any such appeal. They are determinable and will be determined in the public mind on the face of admitted facts.

There is no evidence, nor any substantial charge, of fraudulent intent or use in the perforation of the ballots. The device was originated and had previously been used as an added safeguard against possible manipulation of the ballot box. The perforation was done openly, under oral approval by a majority of the court, was substantially identical in each precinct or division. There has been no demonstration that the rights of any candidate at the primary were in any degree transgressed by the perforation, or that any candidate suffered the loss of any votes by reason of it.

An election is not primarily a game of skill or a test of cleverness between rival candidates in which enforcement of the rules of play is of prime importance and the match may be forfeited for any infraction or neglect.

The election is the means of recording the will of the voters fairly and honestly, and courts have frequently ruled that the responsibility of election judges and of courts determining moot ballots is to discover and serve the intent of the voter.

It is inconceivable that any court in Pennsylvania should throw out the vote of Luzerne County, or of the larger part of its electorate, because of a technical defect in the ballots used at the primary, for which none of the individual voters was responsible, and which is not alleged to have been fraudulent in its design, nor shown to be fraudulent in its effect. It is more inconceivable that even ordinary political acumen can not or will not perceive that, even if a nomination finally could be won by persistency in this legalistic contention, it would be such an offense to the native sense of fair play, which is typical of all Americans in their sports, that it would be of little value.

And again on June 23, 1930, said:

[From the Evening Bulletin, Monday, June 23, 1930]

#### THE HONOR OF THE COURT

The issues raised in the attempted raid on the Luzerne County primary are sufficiently serious and the circumstances of the controversy of such a nature that the justices of the Supreme Court of the Commonwealth might properly have considered the situation in the nature of an emergency and have encouraged argument and proceedings to a final decision at the earliest possible moment.

The date set for a hearing of arguments, September 29, is but five weeks prior to the election. The effect of the rule made by the court is to keep the result of the Republican gubernatorial primary in uncertainty up to the date of the hearing, precluding ordinary campaign activities on the part of either Mr. Pinchot, the apparent victor, or Mr. Brown, the contestant, and thereby giving an unfair advantage to other candidates, whether it be the nominee of the Democratic Party or the candidate of the hybrid organization-wet committee, generally understood to be under blankets until the opportune time for his appearance.

Moreover, the people, as well as the rival candidates, have a right to expect the prompt services of their court of final decision in a matter of such importance as this.

And by no means least, the justices of the supreme court, jealous of the honor of that body, might well have recognized the desirability of prompt action, and the avoidance of any appearance of a political purpose, or even seeming to confirm the arrogance of the Philadelphia ward leader who has so boldly foreordained the action of the court.

Hasty action by the supreme court is not urged. The situation created by the attempt to deprive the voters of Luzerne County of their lawful franchise and to overturn the decision of a state-wide primary by a technicality is altogether too critical. But the very fact of the crisis which it threatens should be an urge upon the supreme court to give it prompt consideration and an early decision, and meanwhile to conserve the rights of all parties and individual citizens in the Commonwealth to fair play in the popular election.

The Philadelphia Record on June 13, 1930, editorially said:

[From the Philadelphia Record, June 13, 1930]

#### MR. HALL'S AMAZING PREDICTION OF A NULLIFIED NOMINATION

The Supreme Court of Pennsylvania will take from Gifford Pinchot the nomination for governor which the Republican voters gave him, and transfer it to Francis Shunk Brown.

In substance this is the astounding, the incredible, prediction calmly made by Charles B. Hall of the Vare machine. At Wednesday's meeting of the war board he said:

"When the courts decide who the nominee for governor is—and there is no question in my mind who the nominee will be if the Luzerne court rights the crime which some of its judges helped to commit—it will be shown that Brown was robbed in Luzerne county. I say what I mean. I strongly believe that Brown will be declared the nominee for governor."

Amplifying this later, he said he expected no condemnation by the Luzerne court of its own procedure in authorizing the perforation of ballots, but that there would be a reversal by a higher court.

Pennsylvanians are accustomed to effrontery from politicians. They are not easily disturbed even by suggestions that in practice the administration of justice is not the exalted and immaculate process which it is in theory.

But he must be a singularly cynical and hard-boiled citizen who is not shocked by this utterance and its implications.

Mr. Hall is not a lawyer. Hence his forecast of the outcome of a complex case can not be based upon expert knowledge.

On the other hand, it is utterly beyond belief that he has received private information as to what the supreme court will do.

Thus when he quite casually and confidently predicts that the result at the polls will be overturned by a higher tribunal, it must be assumed that he exhibits reckless impudence rather than certainty derived from authoritative assurances.

But the significant fact is that his amazing statement has occasioned no outburst of public indignation or even surprise.

For a politician to announce that the highest tribunal in the State will disfranchise upwards of 60,000 voters, erase a popular majority of more than 20,000, nullify the verdict of a primary election, and bestow upon the Vare candidate the nomination won by his rival is apparently regarded as a legitimate bit of comment.

In the judgment of the Record the audacity of Mr. Hall is far less disquieting than its acceptance by the public as being merely an interesting exercise in inference.

Contempt of court manifests itself in two ways.

There is the technical and legally defined contempt which may be committed by words or acts detrimental to the dignity of a court or in violation of its orders. This is punishable summarily.



And there is the more subtle, but not less reprehensible contempt involved in such utterances as that of Councilman Hall—imputations which reflect upon judicial integrity yet are beneath judicial notice and beyond judicial punishment.

But graver in its effects than either of these forms of active contempt is any lack of confidence in and respect for the courts on the part of the public. Intangible, inarticulate, that attitude is so injurious that anything which promotes it must be deplored.

It is because he has encouraged this mood of cynicism and distrust that Mr. Hall is to be condemned, even though he has inadvertently performed a public service by focusing public attention upon a momentous test of popular government and the sanctity of the ballot.

And again on June 24, 1930:

[From the Philadelphia Record, Philadelphia, June 24, 1930]

TO DISFRANCHISE THE VOTERS AND NAME BROWN, THE SUPREME COURT MUST REVERSE ITSELF

Believe it or not, the Supreme Court of Pennsylvania may take from Gifford Pinchot the Republican nomination for governor, won by a plurality of 20,000 votes, and bestow it on Francis Shunk Brown, defeated candidate of the Vare machine.

That astonishing and sinister possibility is distinctly stated in the decree ordering that the vote in Luzerne County, which gave Pinchot 26,000 plurality over Brown, shall be certified as cast—but that the returns shall be "subject to such modification, correction, or rejection as may be ordered by this court after full hearing on September 29."

But in order thus to nullify the result of a primary election the supreme court will have to nullify its own deliberately adopted rule of action.

In order to reverse the decision of the voters the court will have to reverse itself.

For it has definitely laid down the policy that it will not overturn verdicts rendered at the polls, even where irregularities are shown, so long as they do not manifestly injure candidates or prevent expression of the intent of the voters.

The Vare-Brown interests demanded cancellation of the entire Luzerne vote on the ground that perforated ballot markings, authorized by the county court, were "mutilations."

The pretext is novel. But the attempt to have election by judicial decree substituted for election by the ballot is an example of an old practice.

It has been tried so often, in fact, and involves so serious a menace to popular government, that a few years ago the supreme court undertook to discourage it by a conclusive ruling.

For half a century that tribunal had been pestered with election-contest appeals based upon charges of irregularities, intentional or accidental. Finally, in 1922, it moved to stop such litigation.

The election of a burgess had been attacked in a petition asking that the vote of a whole ward be thrown out because of some alleged improper procedure at the polls.

The court, made up of the same jurists as those now on the bench, decided at once that it would do no such thing.

Moreover, it delegated one of its members to write an opinion which would be so clear and exhaustive that the question of interfering with elections in this manner should not be thrust before the tribunal again.

And the justice who wrote this controlling judgment for the court was none other than Justice Alexander Simpson, formerly the law partner of Francis Shunk Brown.

With the learning and lucidity for which he is noted, Justice Simpson reviewed the numerous contest cases, and in dismissing the petition affirmed the unswerving policy of the court in these emphatic terms:

"Ought the entire poll of the ward to be thrown out, the 801 voters disfranchised, and the borough governed for four years by a burgess who was fairly defeated at the election, simply because the election officers were guilty of an irregularity which resulted in no harm to any of the candidates? In the absence of controlling provisions in the election laws, or some precedent thereunder, correct in principle and covering this exact question, we think its statement suggests its necessary answer. No such statutory provision appears, as we, therefore, turn to our decisions to see if they compel us to the unjust conclusion asserted by the appellant."

Among the decisions quoted was one from Chief Justice von Moschizsker. Dismissing a petition for the cancellation of an election because the paper of the ballots, in violation of law, was not thick enough to prevent the printing from showing through, the chief justice ruled:

"The judiciary endeavor to discover whether a deviation from the law had or had not so vital an influence on the proceedings as probably prevented a full and free expression of the popular will. If it had, the irregularity is held to vitiate the entire return; otherwise it is considered immaterial. \* \* \* Courts justly consider the chief purpose of election laws, namely, the obtaining of a fair election and an honest return."

After citing many such findings Justice Simpson delivered the opinion of the whole court as follows:

"To eliminate an entire poll, though no harm has actually been done, merely because public officials did not perform their duty properly,

would result in the very wrong sought to be prevented. For if they were unscrupulous, knowing, as they always do, where votes antagonistic to their desires will be cast, they can wrongly fit up the election room and booths in every district which they desire thrown out, and thus indefinitely control elections."

With commendable regard for propriety and the integrity of the court, Justice Simpson did not participate in hearing the appeal made in the name of his close friend and former partner, Mr. Brown.

Doubtless he will be as scrupulous in dissociating himself from future consideration of this momentous case.

Fortunately, however, he has already contributed a decision which apparently forbids judicial ratification of the raid on the governorship by a faction repudiated at the polls—a decision which expressed not only his own views, but the carefully considered judgment of the entire Supreme Court.

And in another instance also said:

WILL THE VOTERS BE OVERRULED BY THE SUPREME COURT?—WITH GREAT RESTRAINT WE DIRECT ATTENTION TO A SINISTER SITUATION

Has this Commonwealth a government by the people through the ballot, or a government by the courts through judicial decrees?

That disquieting issue is raised by an extraordinary order made by the Supreme Court of Pennsylvania.

In form it merely postpones official announcement of the vote cast at the Republican primary on May 20.

In effect it not only suspends the verdict rendered at the polls, but casts a cloud upon its validity and threatens to make impossible its fulfillment next November.

A few days ago a Philadelphia politician predicted, or rather announced with an air of perfect assurance, that the supreme court would ultimately render a decision conferring on Francis Shunk Brown the nomination for governor given by the voters to Gifford Pinchot.

The Record was less disturbed by the forecast than shocked by its effrontery.

This newspaper did not then believe, it can not bring itself now to believe, that the highest tribunal in the State would be capable of such a nullification of popular government, such a violation of the sanctity of the ballot.

Yet here is a ruling which at least proclaims the possibility of the threatened reversal—and in such fashion as to paralyze until next fall all moves to make effective the decision registered by the voters.

Not until within five weeks of the election, and long after expiration of the time within which a displaced nominee might preempt another place on the ballot, will the court permit the case to be heard.

Judicial deliberation is not extraordinary in itself. But there can not fail to be remarked the contrast between the leisurely approach to this urgent problem and the remarkable promptitude with which the same tribunal dealt with another factional controversy.

A local judge two weeks ago forbade certification of the Philadelphia vote until glaring irregularities had been corrected. The Vare war board, which wanted certification as a basis for seating its agents on the Republican State committee, appealed.

Within two hours four members of the supreme court held a special hearing, and 30 minutes after its close dismissed the retraining order.

In the present instance the Vare interests seek to get for Brown the nomination for governor won by Pinchot, through a judicial decree disfranchising thousands of voters on a technicality. And the court which rendered its decision last week in half an hour now sets the hearing in this more urgent case for September 29.

The dispute is simple enough. In the whole State Pinchot beat Brown by about 20,000, and in Luzerne County by 26,000. The Brown faction demands that virtually the entire Luzerne vote be thrown out. If the supreme court so rules, the nomination which Pinchot won will be transferred to Brown.

The pretext for the appeal is that in most of the Luzerne districts the ballots bore perforated numbers. That system of uniform marking was adopted three years ago, with approval of the county court, to prevent the use of faked ballots and other gross frauds.

It does not in any way impair the secrecy of the ballot, or in the remotest degree interfere with the intent of the voter and its expression by him. Yet the Brown contestants call the marks "mutilations," and would cancel all the ballots.

The Luzerne court directed the county commissioners to certify the vote as cast. The Brown managers asked the Supreme Court for a supersedeas—an order restraining such certification.

They didn't get it. But they got something just as good. They got a decree ordering the certification, but stipulating that the returns "be received by the Secretary of the Commonwealth subject to such modification, correction, or rejection, as may be ordered by this court after full hearing, on September 29."

A reversal of the lower court would amount to the disfranchisement of 60,000 voters, the overturning of a popular plurality of 20,000, nullification of the verdict of a primary election, and the bestowal



upon a defeated candidate of a nomination for governor, won by his rival.

That the decision will be withheld until fall is not wholly to be deplored.

Perhaps it is just as well that for more than three months the people of Pennsylvania can contemplate the momentous consequences which the Supreme Court's action in this case will have for popular government, and public confidence in the ballot and its judiciary.

The Wilkes-Barre Evening News on June 25, 1930, editorially said:

[From The Evening News, Wednesday, June 25, 1930]

#### DISFRANCHISEMENT OR NOT

Voters of Luzerne County have an extraordinary interest in the ballot appeal, now pending before the Supreme Court of Pennsylvania. If the Brown interests win and Gifford Pinchot loses, it will result in the disfranchisement of all Luzerne County voters with the exception of those who used the voting machines in Hazleton and Nanticoke.

The supreme court, it is true, has authorized the certification of the vote by the county commissioners, but the ruling plainly states that the returns shall be "subject to such modification, correction, or rejection as may be ordered by this court after full hearing on September 29."

This is an important matter for Pennsylvania as a whole, since the Republican nomination for governor is at stake. In this respect Luzerne has a common interest with the other counties in the Commonwealth. But, in addition, there is the added local interest that has been developed because favorable action on the appeal will nullify the action at the polls.

No one knows what the supreme court will do in this matter, but previous decisions of that body would indicate that it will not permit the disfranchisement of voters on technical grounds. Such a ruling would have a widespread effect.

The supreme court has shown an inclination in the past to uphold the expressed wishes of the public. After all, that is the purpose of balloting. It was with this in view, to protect the vote as cast, that perforation was authorized by the local judges in the first place.

The supreme court repeatedly has indicated that it will not interfere with elections as long as there has been no injury done any candidate nor has there been any interference with the voters. It will be difficult to show that such has been the case in this instance.

Actually, there has been no such charge made, nor has there been any intimation that the perforation violated the spirit of the law or in any way destroyed the secrecy of the ballot.

It was intended only as a measure of protection to prevent outrages that might have thwarted the plans of the voters. Nor was the May primary the first occasion when this precaution was taken.

The Philadelphia Record, referring to the appeal, points out that the supreme court will have to reverse itself if it throws out the vote of Luzerne County, since there are decisions on record which plainly state what the justices, now serving, have held in the past.

Here is an excerpt from an opinion by Justice Simpson in an appeal involving the election of a burgess:

"Ought the entire poll of the ward to be thrown out, the 801 voters disfranchised, and the borough governed for four years by a burgess who was fairly defeated at the election, simply because the election officers were guilty of an irregularity which resulted in no harm to any of the candidates? In the absence of controlling provisions in the election laws, or some precedent thereunder, correct in principle and covering this exact question, we think its statement suggests its necessary answer. No such statutory provision appears, and we, therefore, turn to our decisions to see if they compel us to the unjust conclusion asserted by the appellant."

Chief Justice von Moschzisker had this to say in a ruling in which he dismissed a petition for the ignoring of a vote on the ground that the paper ballots, in violation of the law, were not thick enough to prevent the printing from showing through:

"The judiciary endeavor to discover whether a deviation from the law had, or had not, so vital an influence on proceedings as probably prevented a full and free expression of the popular will. If it had, the irregularity is held to vitiate the entire return; otherwise it is considered immaterial. \* \* \* Courts justly consider the chief purpose of election laws, namely, the obtaining of a fair election and an honest return."

Luzerne County awaits breathlessly the action of the State's highest tribunal.

And again on June 26, 1930, said:

[From the Evening News, Thursday, June 26, 1930]

#### TECHNICALITIES VERSUS RIGHT

Judge Coughlin hits the nail on the head in the ballot controversy when, in concurring the opinion of Judge McLean, he points out that "by splitting fine hairs and technical decisions, the court should not strike down the vote of the people where no fraud resulted therefrom, thereby destroying the purposes of the act."

What Judge Coughlin states so fearlessly and concisely is what the people of Luzerne County have been thinking. After all, that is the important thing in any election.

To quote from Judge Coughlin's opinion:

The real test is whether the fundamental requirements of the ballot law have been destroyed, or fraud resulted. The purpose of the law is to obtain honest elections.

It is further to be borne in mind that the "official ballot" was delivered to the election officials. Those were the ballots used, these were the ballots counted. The perforations thereon, though not provided for in the primary act, in no way violated the positive requirements of the statute. The official ballot had for three years been similarly perforated without protest from anyone, and in no way resulted in any dishonesty or unfairness. Most of the Luzerne County officials, including judges, were elected on similar ballots, of which there has been general and public notice without protest until the present.

It has been no secret that fraud has played an important rôle in practically every Luzerne County election of recent years. Scarcely would the polls be closed when the corruption would begin if it already had not begun earlier in the day with the substitution of fake ballots.

So numerous were these complaints and so numerous were the charges generally that the officials decided to take steps to safeguard the interests of the voters and the candidates. That is how the ballots were perforated originally. It was believed that the special stamp would prevent the use of ballots that were printed illegally.

The recent primary was no exception to the general rule of recent years. When the request was made to perforate the ballots, there was only this one motive: The judges were anxious to cooperate as much as possible to see that the proper vote was recorded and the crookedness eliminated as far as it was within their power.

That is the entire story. There is no charge that the perforation resulted in fraud, destroyed the secrecy of the ballot, or violated the intent of the statute in any way. It merely was added precaution.

Yet, on technical grounds, this is not within the law, supporters of Francis Shunk Brown insist, being anxious to have the vote of Luzerne County discarded so the nomination for governor will not go to Gifford Pinchot.

To throw out the vote because of an innocent and harmless mistake or because of an omission by unscrupulous officials would, as Judge Coughlin points out in concluding his opinion, would jeopardize balloting in the future.

It is interesting to note that some of these metropolitan newspapers were opposed to the candidacy of Gifford Pinchot at the primaries, but are now rallying to his support on the plain and simple platform that the will of the people must be abided by and that technicalities must be laid aside in an effort to reverse the voice of the people. This contest now faces the point of a technicality against right. To disfranchise approximately 650,000 voters of the State of Pennsylvania on this technicality of perforation because of an innocent and at most a harmless mistake or because of any other commission by public officers would jeopardize the balloting in the future. I feel it my duty to impress upon my colleagues that the highest tribunal to pass upon the legality of this perforation of the ballots in my county is the Supreme Court of the people of Pennsylvania. Their decision was cast on May 20, and Gifford Pinchot was nominated by a plurality of over 20,000 votes.

I have a very high regard for the individual members of the Supreme Court of Pennsylvania, and feel implicitly confident that the Supreme Court of Pennsylvania will decide the case upon the law and that this high technicality raised by the opponents of Gifford Pinchot will be cast aside in order that the free expression of the will of the people of my great State might prevail and that Gifford Pinchot will retain the Republican nomination for Governor of Pennsylvania.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

#### STATISTICS CONCERNING UNEMPLOYMENT

Mr. KOPP. Mr. Speaker, I move to suspend the rules and pass the bill S. 3061.

The SPEAKER. The gentleman from Iowa moves to suspend the rules and pass the bill S. 3061, which the Clerk will report.

The Clerk read as follows:

S. 3061

A bill to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913

*Be it enacted, etc.,* That section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913, is amended by adding at the end thereof the following new paragraph:

"The Bureau of Labor Statistics shall also collect, collate, report, and publish at least once each month full and complete statistics of the volume of and changes in employment, as indicated by the number of persons employed, the total wages paid, and the total hours of employment in the service of the Federal Government, the States and



political subdivisions thereof, and in the following industries and their principal branches: (1) Manufacturing; (2) mining, quarrying, and crude petroleum production; (3) building construction; (4) agriculture and lumbering; (5) transportation, communication, and other public utilities; (6) the retail and wholesale trades; and such other industries as the Secretary of Labor may deem it in the public interest to include. Such statistics shall be reported for all such industries and their principal branches throughout the United States and also by States and/or Federal reserve districts and by such smaller geographical subdivisions as the said Secretary may from time to time prescribe. The said Secretary is authorized to arrange with any Federal, State, or municipal bureau or other governmental agency for the collection of such statistics in such manner as he may deem satisfactory, and may assign special agents of the Department of Labor to any such bureau or agency to assist in such collection."

The SPEAKER. Is a second demanded?

Mr. STAFFORD. I demand a second.

The SPEAKER. The gentleman from Wisconsin demands a second.

Mr. KOPP. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. The gentleman from Iowa has 20 minutes, and the gentleman from Wisconsin [Mr. STAFFORD] has 20 minutes.

Mr. KOPP. Mr. Speaker and Members of the House, so far as the record shows, this bill was passed without opposition in the Senate. When it reached the House it was referred to the Committee on Labor, which gave it very careful consideration. At the conclusion of its consideration that committee reported the bill back to the House without amendment and with a favorable recommendation.

Naturally and properly, organized labor is heartily in favor of this bill. But organized labor is not alone in support of this measure. Business men, professional men, welfare workers, leaders in religious and educational work are in favor of it and have united in support of this measure.

The reason why so many people are asking that this bill be passed is because of their deep interest in the great and overshadowing problem of unemployment.

I have no desire to overstate or to overestimate the possible benefits of this bill. No one will claim that it will be a panacea for all the ills of unemployment; nothing of the kind. But we do have the hope that it will substantially contribute to the solution of the unemployment problem.

This bill provides that statistics shall be collected and published monthly as to employment in the chief industries of the country, including the wages paid and the total hours of employment. It will provide very important information. A physician can not properly treat a patient without knowing the condition of his patient. So the American people can not properly deal with unemployment without knowing the facts concerning such unemployment.

This bill places the burden of administration upon the Department of Labor, just where it should be. It will not require the creation of a new department. In the Department of Labor, ever since its creation on March 4, 1913, there has been the Bureau of Labor Statistics, which will secure the statistics and publish them. The only additional cost in connection with it will be that incident to a slight expansion of this bureau. This will be a very small matter, and not entitled to serious consideration in view of the purpose of this bill.

Mr. ABERNETHY. Will the gentleman yield?

Mr. KOPP. I yield.

Mr. ABERNETHY. Does it purport to do anything except to tell us that there is unemployment?

Mr. KOPP. It tells more than that. It tells us whether there is employment or unemployment. It tells all the facts about it.

Mr. ABERNETHY. Does it try to get some work for these people who are out of work?

Mr. KOPP. Not directly, but it gives information which will be needed to carry out the bill which has been passed this afternoon.

Mr. ABERNETHY. I thought everybody knew there was great unemployment in the country. I am not going to oppose the bill, but I thought the gentleman had some method of furnishing employment.

Mr. KOPP. This bill is not a temporary measure. This will be a permanent law when passed.

Mr. ABERNETHY. And it will apply under the Democratic administration as well as under Republican administration?

Mr. KOPP. Absolutely. You will need it then. [Laughter.]

Mr. PATTERSON. Will the gentleman yield?

Mr. KOPP. I yield.

Mr. PATTERSON. It goes much further than the bureau goes now, and requires these statistics to be published monthly does it not?

Mr. KOPP. Yes.

Mr. PATTERSON. It adds valuable information which will be needed when we legislate on any kind of labor questions.

Mr. KOPP. The gentleman is correct.

Mr. ABERNETHY. Will the gentleman yield further?

Mr. KOPP. Does the gentleman want to ask another question?

Mr. ABERNETHY. Yes.

Mr. KOPP. I yield.

Mr. ABERNETHY. I understand that by the time the Democrats get in power we will not have any unemployment in the country?

Mr. KOPP. That is also my understanding.

Mr. ABERNETHY. I doubt it.

Mr. KOPP. By the time the Democrats get in I think there will be no unemployment.

Mr. O'CONNOR of Oklahoma. The gentleman is not trying to prophesy the end of the world, is he?

Mr. KOPP. No; but I am looking a long ways ahead.

Mr. BOYLAN. Will the gentleman yield?

Mr. KOPP. I yield.

Mr. BOYLAN. I want to congratulate my colleague as chairman of this committee in reporting this bill out whole, without deletion of any kind, character, or description. The committee has performed a most commendable service.

Mr. KOPP. I thank the gentleman, but whatever credit there is belongs to the committee as a whole, and not to the chairman.

This bill supplements the bill passed earlier this afternoon. The bill passed earlier authorizes the expenditure of a large sum annually for the relief of unemployment. Congress will certainly need the information which this bill will give, if it is to spend millions of dollars. The money should be spent wisely.

Mr. CELLER. Will the gentleman yield?

Mr. KOPP. I yield.

Mr. CELLER. Under present conditions the Secretary of Labor reports statistics only once every three months. We now ask him to report them every month?

Mr. KOPP. Yes; the report will be made at least once each month.

Mr. CELLER. Under present conditions the Secretary of Labor reports unemployment data only with reference to industrial occupations. This bill takes in the entire gamut of unemployment?

Mr. KOPP. Yes.

Mr. CELLER. It takes in agriculture and crude petroleum and the white collar class and every conceivable kind of trade and employment?

Mr. KOPP. It is very broad and may be extended at any time, in the discretion of the Secretary of Labor.

Mr. HASTINGS. Will the gentleman yield?

Mr. KOPP. I yield.

Mr. HASTINGS. This bill provides that the Secretary of Labor shall collect statistics and publish them every month, and among other statistics, those of agriculture and lumbering. I know the gentleman is as much interested in agriculture, as I am. I am just wondering what facilities the Department of Labor has for collecting accurate statistics of employment and unemployment among the farmers of the country?

Mr. KOPP. As I understand, the Department of Labor has a very efficient Bureau of Labor Statistics, and it is thoroughly familiar with all labor problems, not only in manufactures, but also in agriculture as far as farm laborers are concerned.

Mr. HASTINGS. I had hoped there was some provision whereby the Department of Labor would act in cooperation with the Department of Agriculture, so that the data, when collected, would be very dependable.

Mr. BLANTON. Will the gentleman yield?

Mr. KOPP. I yield.

Mr. BLANTON. Will the gentleman tell us just what bureau or department of the Government is now putting up at great expense these large billboards, and has been for some time, on different roads that enter cities, saying that "Prosperity must continue in the United States"? They are Government billboards. And they have been put up all over Texas.

Mr. KOPP. I have seen no such billboards. I have not been in Texas.

Mr. BLANTON. They are Government billboards. You can not bring about prosperity by advertising it on billboards.

Mr. KOPP. I am not an authority on billboards, especially Texas billboards.

Mr. SLOAN. Will the gentleman yield?

Mr. KOPP. I yield.



Mr. SLOAN. I would like to ask the gentleman if he has any definite estimate as to the number of unemployed in the United States at this time? I have just placed a speech in the RECORD noting that the unemployment in my district is about one-half of 1 per cent. My information is that there are about 2,000,000 unemployed people in the United States, although I have heard it stated higher. Has the gentleman anything definite to state?

Mr. KOPP. No; not at this time. There are no definite figures available at this time for the country as a whole, as I understand it.

Mr. SLOAN. There are in the Census Bureau from a good many districts. That is where I obtained my figures.

Mr. KOPP. The gentleman is correct, and I thank him for placing the information in the RECORD.

Mr. ACKERMAN. Will the gentleman yield?

Mr. KOPP. I yield.

Mr. ACKERMAN. Will the gentleman state how much it will cost to obtain the information mentioned in the bill?

Mr. KOPP. I do not have any definite figures, but it will be very small, because much of it will be secured by correspondence. The Labor Department is an efficient organization and is the department that should administer this bill. The Bureau of Labor Statistics was established over 17 years ago and is headed by experienced and competent men. The Secretary of Labor will always be in sympathy with labor. No matter what party may be in power, no President will ever appoint a Secretary of Labor who is unsympathetic with labor.

Mr. CULLEN. Will the gentleman yield?

Mr. KOPP. I yield.

Mr. CULLEN. The bill provides that the Secretary is authorized to arrange with any State, city, or municipal authority. The various States have departments of labor.

Mr. KOPP. Yes. The cost will be very small. In conclusion I ask you to bear in mind that this bill can not possibly do any harm and that it may do much good. On behalf of the Labor Committee I ask you to enact this bill into law. [Applause.]

I yield five minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Speaker and gentlemen, I am taking the floor to-day for two reasons. One is to say that I will support this bill and, as the gentleman from New York said, I congratulate the Committee on Labor for reporting Senator WAGNER's bill intact. We were glad to have the privilege of doing that. Secondly, I want to protest at this time on behalf of the minority members of the Committee on Labor, of which I am ranking member, against these bills being sent to the Judiciary Committee which belong to the Committee on Labor. The two bills which were referred to the Judiciary Committee should have gone to the Committee on Labor. They are unemployment bills, and if any committee in Congress has to do with unemployment it is the Committee on Labor, and not the Committee on the Judiciary. I believe I express the sentiment not only of the minority members of the committee but of the majority members of that committee, who have requested the chairman of that committee [Mr. KOPP], the distinguished gentleman from Iowa, to protest to the Speaker of the House against the referring of unemployment bills to the Committee on the Judiciary. I have nothing against the Judiciary Committee. The members of that committee are distinguished Members of the House, but I do believe that if the other two Wagner bills had been referred to the Committee on Labor they would have been reported to the House of Representatives intact. [Applause.] And not emasculated and changed as was this other bill on which we voted a few minutes ago.

Mr. GRAHAM. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. GRAHAM. Did the change in S. 3059 harm the purposes of the bill?

Mr. CONNERY. Yes; I think it did, very much. It took away the machinery of the bill whereby you could get these statistics and take care of the whole thing.

Mr. GRAHAM. Did the gentleman listen to the letters from the departments regarding the machinery?

Mr. CONNERY. Yes; I did.

Mr. GRAHAM. Stating that it could not be put into effect and it would be useless to include that language. So we simply perfected the bill, which probably the Labor Committee might have overlooked.

Mr. CONNERY. I will say to the distinguished chairman of the Committee on the Judiciary that it is my belief—perhaps I am mistaken—that the only reason this bill was changed was for the same reason that the Rankin bill's veto was sustained, because it was offered by Democrats and not by Republicans.

It is all right for gentlemen to say no, and I do not blame you for playing politics with it.

Mr. GRAHAM. There was no politics that entered into it. There was no division in our committee upon the subject. There may have been one or two who dissented from the general proposition, but politics did not enter into the consideration of that bill.

Mr. CONNERY. I would like to say that I believe the gentleman in that. Perhaps the chairman had no politics in his mind at all, but it is a very strange coincidence that when any major measure is offered by a Democrat that seems to take the fancy of the House the bill is changed into a Republican measure before it is enacted into law.

I would like to say to my distinguished colleague, the gentleman from Texas [Mr. BLANTON], that I was astounded to hear him say to-day—and I have the highest respect for him—that the people of the United States who are out of employment are lazy; that one of the main reasons for it was that they are lazy.

Mr. BLANTON. I said that some of them are lazy. Some of them are not. Some of them are active and energetic and try to get jobs, but I say that some of them are lazy.

Mr. CONNERY. There are lazy millionaires.

Mr. BLANTON. But some of them will not work unless they can get \$12 a day. They do not want to take \$8 or \$6 when they can not get \$12.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. KOPP. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. CONNERY. The gentleman heard my distinguished colleague from Massachusetts [Mr. McCORMACK] say how they stormed his law office in Boston, asking any kind of work. I have had the same experience at home. There are 2,000 shoe workers walking the streets of Lynn and they have no work. Certainly these men are not lazy.

Mr. BLANTON. They ought not to stay there and starve. They should go somewhere else where there is work. And if they can not get one kind of work they ought to get another.

Mr. CONNERY. The gentleman may be speaking for the State of Texas but he certainly is not speaking for the State of Massachusetts when he says the workers are lazy. They may be lazy in Texas but they certainly are not lazy in Massachusetts. [Applause.]

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. McCORMACK of Massachusetts. What is the use of going to any other place, because wherever they go they find the same conditions.

Mr. CONNERY. There is no work for them. They are jumping all over the country and can not find work.

I am in favor of this bill, but it is like all veterans' bills and we must take it as it is. However, half a loaf is better than none. Take what you can get. That is the only thing to do on veterans' legislation or on labor legislation—take what you can get under suspension of the rules. Personally, I do not believe any of these bills should be brought in under suspension of the rules, and I hope in the future this slight protest I have made will be added to by the distinguished chairman of the committee, and in the future we will get unemployment bills sent to the Committee on Labor where they belong. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. Box].

Mr. BOX. Mr. Speaker and gentlemen, if it were in order to amend this bill, one of the matters I would like to have ascertained is how many Americans during the last two or three years have been supplanted and left without work by tens of thousands or scores of thousands of imported alien laborers. [Applause.] This unemployment situation is some two or three years old and shows signs of becoming worse.

I would like also to have the bureau ascertain why it is, and why it has been, that though your committee has reported measures designed to relieve the situation by checking the incoming of alien laborers from Mexico, the West Indies, South America, and Canada, more than one such measure got strangled to death in the Rules Committee, and this House thereby denied the right to vote for something which would have brought some measure of bona fide relief.

I would also want to know why a body that is actually, bona fide, trying to relieve the situation, will suppress the main relief measures available. Industrial workers, common and skilled laborers, and other working people—American people—by millions are out of work and in want. The farmers have reported to us that they have a great surplus. Tomatoes are overproduced and without a profitable market. So are onions and citrus fruits. Cotton is down; wheat prices



are at the bottom. Reports from the border tell of hundreds of carloads of lettuce rotting in the fields because too much is produced. Little towns that ordinarily employ local people to pack their fruits have floods of people gathered about them, hungry, trying to do these little jobs, and yet the Farm Board, supported by people further up, say, "Let them have labor—for God's sake, let them have labor." Then they say, "Do not offend Mexico," "Do not offend Canada." Canada has put restrictions on American labor lately reciting our widespread unemployment situation. Americans out of work, wandering to the doors of other countries and having those doors slammed in their faces! I wonder when the time came when Uncle Sam got afraid to do anything to the other fellow, not first, but after the other fellow did it to him. Canada has restricted American labor and yet labor importers, ruling the powers of Congress, at the dictates of speculative and corporate interests which are so short-sighted, selfish, and unpatriotic that they do not recognize or care for the general welfare, have suppressed this legislation, and the country ought to know the facts. Farmers, farm workers, and other working people must suffer ruinous consequences in order that the speculative farmers and mainly the sugar interests, railway companies, and other powerful groups may increase their profits by employing Mexican peons at lower wages to live under harder conditions. Then the men who do these things talk pharisaically about "farm relief" and "relieving unemployment." Somebody ought to tell the truth about it, and that is what I am trying to do. You know it is true and the country knows it is true.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker and Members of the House, I am very glad to support these bills. In my judgment, there is no moral or economic waste greater than that of the individual willing, ready, and able to do a part of the necessary work of the world, who returns to his home at night having been unable to get employment. The moral and economic loss resulting from that failure is as great as can be found among a people.

I appreciate the fact there is practically no opposition to this bill, so I shall direct your attention in a different direction for a few minutes. I do not want to be put in the attitude before the House of being a nuisance or embarrassing anybody with regard to any proposition, but it is my judgment, Members of the House, if we want some real relief legislation for unemployment we would go to the limit to revive the debt-paying and purchasing power of the great agricultural classes of this country. That is where the trouble started and that is where the remedy ought to be applied.

The farmers of this country, beyond any other people, buy the products of the factories of the city. They spend a smaller amount of money, in proportion to what they earn, for what is ordinarily known as amusement, than any other people.

This Congress ought not to adjourn—I am going to make this statement in the closing days of this Congress which I have made often before—without having redeemed the pledge to put agriculture on an equal footing with industry, and I charge, in the closing days of this session, that this Congress is adjourning in the face of widespread industrial depression and unemployment, without having redeemed that pledge or made a bona fide effort to do it.

The producers of exportable surpluses, like cotton and grain, are compelled to sell in the cheapest markets of the world in competition with the cheapest labor on earth, and by this Government are compelled to take from the receipts of sales made in such markets and pay a bounty to the great industrial centers of this country. Not one thing has been done to give to these farmers a compensatory advantage.

I have no prejudice, no animosity toward the rich, but injustice eventually works its own punishment upon the people responsible for it, and the partiality of this Government, the unjustifiable burden that this Government has put upon the great agricultural producing classes of this country who produce exportable surpluses in order to foster what was originally known as the infant industries of this country has destroyed the debt-paying and purchasing power of agriculture. That is the major cause for the unemployment in the cities and the distress among our farmers.

Gentlemen of the cities, your people are walking the streets, idle and hungry, because you will not permit the men and women of this country who must sell in competition with the cheapest labor to have a fair and equal chance with your people in industry. My people can not buy what your people manufacture.

The tariff is a bounty and a tax. It is a tax because it is money taken from the pockets of the people by the power of the

Government, and it is a bounty because it gives to a certain class of people more than they would otherwise receive. It deals with prices and profits. Cotton and grain farmers, producers of exportable surpluses, do not participate in the benefits of that policy. The result is that you keep taxing these farmers to pay that bounty to industry, you have this great migration from the country to the city, and, finally, these millions of farmers, economically bled white, paralyzed, unable to pay their debts, unable to buy the products of the factories, idleness everywhere.

If we had real statesmanship in America, we would give agriculture an equal chance with industry. We could take this money out of the cities which can not be loaned at 3 per cent and put it to work out in the country building homes for these people, to buy new wagons, new clothing, new furniture, and start the idle wheels of industry. If we had real statesmen in this country, we would give these farmers an equal chance and make it possible for the wheat farmers in the West to buy the products of the factory now idle, make it possible for the cotton farmers of the South to help put the millions of the cities' idle to work, make it possible for the grain and the cotton on these farms to move out into commerce and out into the homes of the hungry and unclothed. But we are adjourning this Congress without having done the just obvious thing necessary to accomplish these results. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR of Louisiana. Mr. Speaker, ladies and gentlemen of the House, Frankenstein has been translated into every living language. Mrs. Shelley, the authoress, has crystallized the name, and her own fame will endure as long as English letters last, and high will be her rank among the great authors and writers of her century. Why? Because she told unforgettably and inimitably, with haunting atmosphere the story of Frankenstein, who was destroyed by the monster he created.

And it has the greatest significance because she told inferentially the story that civilization may be destroyed by that which it brings into existence. The seed of dissolution is sown in all things, animate and inanimate, and every civilization, intangibles were brought to their destruction by their own overdevelopment. The rich grew richer, and the poor poorer. The plutocrats became fewer, while the proletariat increased by leaps and bounds until his needs drove him to vassalage and helplessness. Then came darkness for that civilization.

The mechanization of industry is the very threat of the present civilization of the world. Like Moloch it demands more victims and more victims, but unlike that monster, mechanized industry preserves only to starve with unemployment. Unless industry, the Government, commerce, and the high priests of civilization get together and determine upon some regulatory measures civilization will go staggering, tottering, and stumbling to its destruction and fall. [Applause.]

The gentleman from New York [Mr. LA GUARDIA] pointed out the only available and visible remedy, because while these bills are looking at the situation of unemployment philosophically, desirable for their psychological effect and therefore steps in the right direction, they do not go to the root of the disease or to the root of our trouble, to the root of our problems. We must push mechanized industry to its rightful domain by pressure of a regulatory system in the way of shorter hours and a 5-day week. Thousands, tens of thousands, and hundreds of thousands are weekly, monthly, and yearly going out of employment by reason of new mechanical inventions, each of which does the work formerly done by a hundred, a thousand, or ten thousand, in accordance with the capacity and output of the new industrial unit.

Ladies and gentlemen, our civilization will be that suggested by Sisyphus, rolling a stone to the top of the hill only to have it slip from his grasp and roll back to the foot of the hill again. And this rise and fall of the stone and the laborious efforts of Sisyphus symbolizes the efforts and struggles of mankind to build an enduring and permanent civilization, and that is the history of civilization from the beginning of time, reaching the top only to roll back by reasons of defects which are apparently inherent in the system, or at any rate were those that destroyed every social order and scheme of the past. [Applause.]

As long as the benefits of any social scheme, government, or civilization go exclusively or excessively to the opulent and their heirs and assigns, you will have a gradual strengthening of the grasping industrial, commercial, and governmental power by those who are born in palaces, rocked in golden cradles, and fed with silver spoons, until the masses reach that low place where they no longer are even a good base for the superstructure. If the benefits that should flow from an



advancing civilization are not extended to and bestowed upon all the contributors and builders, it is not worth the toil and moil, and the sacrifice made to acquire it. Inventions that displace labor must be used under regulatory measures and laws that will, by reducing hours and days of employment, prevent unemployment. For reasonable leisure for those whose purchasing power has not been diminished or lessened will make for new diversions, new recreations, pleasures, studies, and entertainments which in themselves will create a demand for labor and make way for employment of those who are shifted away from old fields of activities by the inventions that result in displacements.

Yes, Mr. Speaker, all things are born; they live, they die, or pass away, and are forgotten. Animate and inanimate, tangible and intangible, they serve their time and then slip away into oblivion. Kingdoms, dynasties, and empires have, like insubstantial pageants, faded from the picture and left not a wrack behind. Indeed, they were such stuff as dreams are made of. Governments, religions, social orders, cultures in every age must pass out after each has served the purpose that brought it into existence. The old order changeth, yielding place to the new, will ever be the rule of man as long as he lives upon this earth. Each age is a dream that is dying or one that is coming to birth, always has been and always will be. But however certain we are that the old order will disappear and that our civilization like the cloud-capped towers and the gorgeous palaces of splendid periods that are no more will inevitably find its own tomb, it is our duty to our country and to that civilization to which the white man has sacrificed since his foot first touched the western continent to do all that we can to preserve it, to build it up, to strengthen it, in the hope that it will weather many a storm before the props give way forever. And just as we may extend the life of an individual by proper care we may by discernment on the part of the Government, the industrial order, and the commercial organizations preserve our civilization from decay and ruin.

By thoughtfulness, by sagacity, by fair dealing which when analyzed means that an injury to one is the concern of all we can hope to live to a good old age. By becoming in fact our brother's keeper we may make our age indeed the golden age.

Mr. Speaker, in the rapidity of our wonderful march from ocean to ocean and from the Lakes to the Gulf, in the swiftness with which we have extended our territory into the far northern seas, the western ocean, and the Gulf and Caribbean seas, we have not had time to think of the morrow from the spiritual standpoint and from the view that we must so strengthen the mudsills and the foundations of our country that they will be there, firm and solid, when our descendants have to grapple with new problems in order that the Republic may endure. Each and every man has a part to play in the drama of life, and each and every American must so live his life that his country will be a little better off on the day that he is going westward forever than on the day that he came into existence. He must work and toil so that his children and his children's children will enjoy a governmental, industrial, agricultural, and commercial order which will mean that every man will have raiment, shelter, and food, for no civilization that gives less to its workers can possibly survive, for it takes all of their support to continue it safely under the storms and stress of the years. I vote for these bills with pleasure. I would that I could do more.

My hope is that in some small, feeble, perhaps in an insignificant way, I may contribute to that thought which must come to an intellectual world that it is worse than folly for millions of people to starve in the face of plenty and apparently thrive in the place of scarcity, and that it is a sin and a shame for a civilization that boasts of palatial homes and gardens that make the palaces of Europe pale before their splendor, to suffer from unemployment; that it is almost criminal for a nation that can boast of bridges, skyscrapers, subways, tunnels, highways, railways, lighting systems that cause even their votaries to stare in wonder at the gigantic performances of the builders of this vastness, to permit its sons and daughters to be in actual want. What a ghastly commentary on our times that millions go without bread and if relief does not come will soon be without the garments to protect them from the winds of the winter that must come.

Ladies and gentlemen, unemployment, poverty, and the hideous vice and suffering that go with them as their disheveled offspring is a world problem and demands more than anything else that confronts the world, the best thought of the greatest intellects to study and solve that problem. Let America through legislative bodies, executive departments, churches, universities, magazines and the great newspapers, industrial and financial, agricultural and commercial leaders—men of light and leading—assume the initiative and be the vanguard to a world convention

that will make unemployment the sole and exclusive subject for discussion and solution.

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. PATTERSON].

Mr. PATTERSON. Mr. Speaker and Members of the House, I am glad that the committee has brought in these bills. I regret deeply that they have not gone farther into the matter. I feel that it is time for us to begin to study the matter and get some information so that we may act upon it. One of the greatest distresses that can come to any country is to have a large number of its people out of employment. We want the wheels of industry to roll. It is very unfortunate if people are out of employment, or if their earning capacity is below that which permits them to have the necessities of life. Avoid such conditions as that and the wheels of industry will roll. I am glad that I can speak for my people and say that they do not come in the category of the class of people spoken about by the gentleman from Texas [Mr. BLANTON].

In my judgment we face grave questions in this country, and we should meet and solve these questions in a statesman-like way. So long as our farmers' income is as low as it is, and several millions of our would-be workers are out of employment, the wheels of industry can not move properly. I do not believe, even though I recognize the value of tariff, and that I feel that the Farm Board can be of some temporary help in some emergencies, but these alone can never solve our problems.

I regret that the leaders of this Congress have failed so far to settle several problems which would, in my judgment, vitally affect for good our farmers and laborers in this country. We should pass the Couzens resolution, all these employment bills, and put Muscle Shoals to work in the interest of our farmers and our people.

I plead with you and urge as strongly as I can that we do all we can for these worthy causes, and may I close by saying that I hope the leaders will help us to settle these great questions.

Mr. STAFFORD. Mr. Speaker, I yield three minutes to my colleague from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Speaker and gentlemen of the House, I favor this bill. I am somewhat surprised to hear the claims of unemployment emanate from the mouths of our colleagues from Texas, particularly in view of the fact that several months ago one of the leading statesmen of that great State, the father of the vicious eighteenth amendment, who is now advocating legislation to put the buyer of a gill of intoxicating liquor or a bottle of 2.75 beer in jail for terms up to five years, spoke to a radio audience from the Nation's Capital and pictured the wonderful era of prosperity that 10 years of prohibition had brought about.

I agree with the gentleman from Texas [Mr. Box] that this Congress should pass a law to put the immigrants from Mexico, Canada, and the South American countries under the quota. Our Democratic friends orate to-day in favor of restrictive immigration in the name of protecting the American workers. They forgot about protecting the American worker during the consideration of the tariff bill. What is the difference between letting down the bars to floods of immigration and permitting the products produced by aliens in their own countries to come in here unchecked in unfair competition with the products and labor of our own people? [Applause on the Republican side.] There is no difference from the standpoint of protecting the American workers. There would not be so much unemployment to-day if we did not have the sumptuary Federal prohibition laws which threw many thousands of men out of employment, and if it were not for the Democratic coalition which delayed the enactment of the tariff bill for a period of over a year. It is inconsistent for our colleagues on the Democratic side to talk about restriction of immigration in the interest of preventing unemployment, when we have their record made during the past 12 or 14 months in favor of letting the product of cheap alien labor, produced in foreign lands, come in here unchecked in unfair competition and in that way drive American workmen out of employment. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Speaker, all agree that there is no problem of greater moment before the American people than that of unemployment. Some students are suggesting unemployment insurance. The Congress this session, at least as far as I know, has not grappled with this all-important subject. As I view the proposed bill, it is a sham and a delusion. What matters it that we know the number of persons each month who are employed by the National Government, the States, and the subdivisions of the State? Every one knows that the Gov-



ernment employees—national, State, and municipal—are fixed and one of the advantages of Government employment is that it does not vary with conditions in industry.

Mr. BOYLAN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. In a moment. We go on and require statistics in industry, manufacture, agriculture, transportation. Of what value will these monthly statistics be to the respective industries, and, more particularly, in solving the unemployment problem? Manufacturers and business men generally regard the business depression as critical, but many think that the depression is more or less influenced by the psychological situation. Talk to the large jobbers, the large manufacturers in the country, and you will find that they do not wish to have broadcast the fact that business is bad. They wish optimistic talk and not continual harping about business being depressed, and yet you want to provide each month statistics to show the number of those employed in the lumber industry and the transportation industry and in the manufacturing industry and in the wholesale and retail trades. Of what value will that be? Does any one think that it will help improve business conditions, or that it might be used to control the propagation of the species, according to the Malthusian doctrine?

Mr. BOYLAN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BOYLAN. The gentleman is an intelligent, hard-working, and industrious Member of this House.

Mr. STAFFORD. I accept the gentleman's statement.

Mr. BOYLAN. The gentleman knows that there are three bills sponsored by the junior Senator from New York, and these three bills are correlated.

Mr. STAFFORD. I can not yield any further.

Mr. BOYLAN. I want to ask the gentleman an intelligent question.

Mr. STAFFORD. The gentleman always asks an intelligent question, but it takes him a great while to get to the point.

Mr. BOYLAN. The only point is this, that you can not take one bill by itself. This bill merely goes past in full vigor. The second bill is lost in the shuffle and the third bill is mutilated. How can you correlate them?

Mr. STAFFORD. I understood the second bill had been buried in the committee. I can not appreciate where this measure will be of any value, except to give employment to bureaucrats in the Bureau of Labor Statistics, to multiply through machines, card indices, a great mass of figures. The statistics will be of little or no value. They will be just like some of the statistics that are turned out by the Bureau of the Census. This does not solve the unemployment question at all, and that is the liveliest question before not only the Congress of the United States but before every legislature and municipality in the country. It is the biggest problem before the country to-day.

Mr. KOPP. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Iowa [Mr. Kopp] to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

On motion of Mr. Kopp, a motion to reconsider the last vote was laid on the table.

#### POVERTY AND UNEMPLOYMENT

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my own remarks on unemployment.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Speaker, while the House is considering the unemployment bills I desire to submit the following statement concerning this problem:

Poverty, suffering, grief, distress, anxiety, and suppression imperil the spirit of loyalty and patriotism so essential in the citizenship of a democracy. Poverty itself did not appear as a social problem until organized society supplanted tribal society. In tribal life mutual aid and group solidarity enabled them to survive the unconquered forces of nature and to defeat the encroachment of hostile groups.

With the growth of population, the domestication of animals, and the development of commerce, tribal customs began to disappear. Classes developed. Intelligent, thrifty, and fortunate individuals secured control over luxuries and necessities. Individual wealth and individual property displaced what had been common property and wealth in tribal life. From that time on less attention was paid to those who were weak mentally and physically. They were exploited, even pauperized, and left to make for themselves. This was one-sided progress and society

has been called upon to provide for large numbers who have been unable to function or to fit themselves into the complex civilization of our day. Only recently have there been any uniform and effective measures adopted to care for the increasing number of those who might be listed as socially inadequate. For years Government and society have been content to provide relief and custodial care for this class. To-day our problem is to ascertain the number and the nature of all those who are regularly classified below the poverty line. How do they live? What does it cost to provide for them? Who bears the expense, and what are the results to society?

The almshouse and the poorhouse, and other abiding places, institutions symbolic of human despair, where disease, filth, loneliness, and death were everywhere to be found, are being eliminated by a more modern and humanitarian plan which includes child placing, family relief, pensions for widowed mothers, and retirement for the aged. Segregating the various classes formerly cared for under the common roof of the poorhouse or poor farm, and the application of scientific modern methods of treatment, have to a great degree reduced the misery and suffering of the mental and physical deficient. As a result of these present-day methods we are rehabilitating and making self-sustaining a great number of those who were heretofore condemned to pauperism and servitude.

While society has made splendid progress in the care of the crippled and unfortunate of every class, a new menace to our progress and prosperity clouds the horizon and challenges the very existence of our present system of society and Government. Recent economic changes, taking place with unbounded rapidity, have increased out of all proportion the poverty, the want, and the suffering of millions of our people, who are fitted in every way, so far as they are individually concerned, to take their place in society as decent, law-abiding members, but who are prevented from doing so and who are forced into idleness because of a system developed in present-day society which has no counterpart in ancient or medieval history. We read in ancient history that once upon a time Egypt was racked by a great famine. A period of drought caused a failure of crops. There was consequently no food to sustain the people. But what a strange situation confronts us to-day. Will not our grandchildren regard it as quite incomprehensible that in 1930 millions of Americans went hungry because they had produced too much food; that millions of men, women, and children were cold because they produced too much clothing; that they suffered from the chilly blasts of winter because they produced too much coal? I am not speaking in parables. This is the literal truth. To-day we are suffering want in the midst of unprecedented plenty. Our workers are without wages because they have learned to work too well. It is this condition which I desire to bring forcibly to your attention. It is a condition that demands the serious consideration of the statesmanship of our age, and it is likewise the duty of every citizen who loves America and would banish poverty to lend his efforts to the end that this destructive phenomenon we witness to-day be banished forever from our midst. We can not regard unemployment as inevitable and poverty as incurable, especially in a land where, as President Hoover recently stated, the warehouses of the Nation are bursting out with a surplus of supplies, and still people are denied them.

Fundamentally necessary to any proper approach of this great question of unemployment is, of course, a thorough knowledge of its nature, extent, and location. No search for a remedy can be made without a knowledge of the fundamental facts surrounding unemployment. Therefore it is the duty of the Federal Government to set up machinery which will provide precise information for both public and private business and all others concerned in the question before we can go to the root cause of modern unemployment. In addition to adequate information a free nation-wide system of labor exchanges is essentially necessary to stabilize employment. Then, too, the Federal Government is always engaged in constructing highways, developing rivers and harbors, directing flood-control structures, and public buildings. These projects should be planned in advance and timed so as to provide available opportunities for employment when private business slackens. In all these matters the States and the municipalities, as well as private enterprise, might well cooperate, for it is not the duty of any one particular agency. It is the obligation of all.

Unemployment to-day is not produced by local causes. Forces which close down factories, curtail activity in the mines and on the railroads, are forces which operate on a national and world-wide scale. Individual workmen, individual business, the municipality, and the State are helpless when an economic storm breaks upon the country. Only the coordinated strength of the entire Nation is competent to deal with such powerful economic forces. No scourge known to man spreads as quickly and with



as disastrous effects as unemployment. When it begins to spread there is no immunity which the workman, farmer, or business man can secure for himself. Local and State boundaries can not stop it. Only the cooperative organized effort of the entire Nation can remedy it. It is therefore a problem so big, so important, so universal, and so complex that it commands the complete, whole-hearted, combined effort of individuals, business, cities, States, and the Federal Government to solve it.

Three important principles embodied in legislation pending in Congress should be adopted and adopted without further delay. They are, first, the Federal Government should create a bureau whose purpose it is to disseminate accurate and complete knowledge of the nature and extent of unemployment, information essential to any proper approach to this great question, information necessary in order to secure the intelligent cooperation of all public and private agencies. Second, the Government should provide for long-range planning of public works by authorizing a substantial expenditure of public moneys for that purpose and with the knowledge furnished by a bureau of information public construction would be so timed as to take place at the very beginning of periods of depression. Third, the setting up of a nation-wide free employment service, operated in cooperation with the several States, would bring the idle man and the job together in a most effective and expeditious manner.

These three measures form the groundwork and approach necessary and essential in any attempt to master this serious problem. The losses resulting from unemployment sustained by the workers are indeed tremendous. In the first three months of the current year it is estimated that wage earners alone lost no less than a billion dollars in wages. Consider the great loss to the farmer, the manufacturer, and to business generally, resulting from the loss of this vast amount of purchasing power which has been withdrawn from our markets. But above and beyond this loss is one of far greater importance. No one can exaggerate the terrible blight on character which unemployment inflicts. It produces child labor, disrupts the family, destroys independence, stimulates hatred for society, and breeds discontent with government. National character, a paramount national asset, can not be estimated in dollars and cents. I appeal to you, Members of Congress, to consider this great national problem, this phenomenon of our day and age. Lend a helping hand to the statesmanship eager to bring about its solution. Remember the unemployed have only the good of heart, the lover of humanity, to look to for a spokesman. They make no campaign contributions; they control no portion of the press; they have no agency save the voluntary efforts of those who place human welfare above financial gain. Yes; they maintain no lobby in Washington to picture to the lawmakers of the Nation their sad depressing story. Their only spokesmen are those who are prompted by the ideals of good citizenship to serve the welfare of our country, to answer the common call of humanity.

#### THE TARIFF ACT OF 1930

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a short article prepared by the Alexander Hamilton Institute on the subject of better business conditions and the tariff.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The article is as follows:

#### THE TARIFF ACT OF 1930

The Hawley-Smoot tariff, recently signed by the President, is experiencing severe criticism on the grounds that it will not only stop expansion but will also cause curtailment of the export trade of the United States. It is argued that foreign countries can not buy American goods if they are deprived of the means of payment afforded by the marketing of their own merchandise in the United States. The logical conclusion of this line of argument is that the prosperity of the United States will suffer not only from this country's inability to sell its present surplus output but also from its inability to expand its producing capacity at a rate which would otherwise be possible.

If this contention were based on an absolutely correct premise, it would be fairly irrefutable. But such is not the case. The new tariff act falls far short of raising an absolute barrier against foreign merchandise.

In the first place, alteration of the Fordney-McCumber Act, passed in 1922, and under which the foreign trade of the United States experienced a noteworthy expansion, was less drastic than is generally believed. Of the 3,295 items upon which duties are levied 2,170 were unchanged. Duties were increased on 890 items or only 27 per cent

of the total number of dutiable items. Increases in the duties on these items were partly offset by decreases in the duties on 235 items. More important, however, is the fact that a large number of items still remain on the free list. It is estimated that the amount of duties collected on all imports both dutiable and free will not amount to more than 16 per cent of the value of such imports as compared with nearly 14 per cent under the Fordney-McCumber law of 1922. Under this law the percentage was unusually low. Under the McKinley law the percentage was 23 per cent, under the Wilson law 21 per cent, under the Dingley law 26 per cent, under the Payne-Aldrich law 19 per cent. Only under the Underwood law of 1913 was the percentage lower than under the Fordney-McCumber law. It ranged from 6 per cent to 15 per cent. This can not be fairly used as a comparison, however, because the Underwood law was in effect during the abnormal period of the World War.

It is estimated that under the new law nearly the same proportion of imports will enter the United States free of duty as under the law of 1922. The percentage under the 1922 law was nearly 64 per cent. This means that the United States will still provide foreign countries with a substantial market. The three leading imports of the United States, silk, coffee, and crude rubber are still on the free list. Of the other leading imports, the two outstanding cases of increased duties are sugar and raw wool. Since the United States does not produce a sufficiency of either of these two commodities to meet her own requirements and is not likely to do so in the near future, the United States will continue to buy Cuban sugar and Australian and South American wool despite the higher tariff.

#### Imports of chief commodities into the United States in 1929

[In millions of dollars]

| Item                         | Tariff status | Value   | Per cent of total imports |
|------------------------------|---------------|---------|---------------------------|
| Silk, raw                    | Free          | \$427.1 | 9.7                       |
| Coffee                       | do            | 302.4   | 6.9                       |
| Rubber, crude                | do            | 241.0   | 5.5                       |
| Sugar, cane                  | Duty          | 209.3   | 4.8                       |
| Copper, unmanufactured       | Free          | 153.4   | 3.5                       |
| Newsprint                    | do            | 144.5   | 3.3                       |
| Petroleum, crude and refined | do            | 143.5   | 3.2                       |
| Hides and skins              | do            | 137.3   | 3.1                       |
| Paper base stocks            | do            | 118.1   | 2.7                       |
| Furs, undressed              | do            | 108.1   | 2.5                       |
| Vegetable oils               | Partly free   | 100.7   | 2.3                       |
| Tin                          | Free          | 91.8    | 2.1                       |
| Wool and mohair              | Duty          | 87.3    | 2.0                       |
| Fruits and nuts              | Partly free   | 86.6    | 1.9                       |
| Art works                    | Free          | 82.1    | 1.8                       |
| Oilseeds                     | Partly free   | 79.3    | 1.8                       |
| Wool manufactures            | Duty          | 78.5    | 1.8                       |
| Burlaps                      | do            | 77.4    | 1.7                       |
| Total, above                 |               | 2,668.4 | 60.6                      |
| Total, all                   |               | 4,400.0 | 100.0                     |

It is evident that the injury which the new tariff law will do to the total volume of the import trade of the United States has been considerably exaggerated. The prospect is that the volume of imports will continue to show a substantial expansion. The business recession which the United States is now experiencing is only a temporary matter. The long term upward trend which the United States has experienced in the past will continue. With the growth in population and the increase in wealth the United States will have to purchase from foreign countries larger quantities of such commodities as silk, coffee, and rubber, which are not produced in the United States.

There is consequently little danger that the export trade of the United States will suffer materially from the new tariff law. This outlook is further supported by the fact that foreign countries do not depend entirely upon sales of goods to finance purchases from the United States. The expansion of the export trade of the United States in recent years has been the result not only of increased imports but also of a large volume of foreign securities floated in the United States. Funds secured from the expenditures of American tourists have also represented an important factor in the financing of goods exported from the United States.

Foreign countries are not yet in a position to ban American products despite reported threats. They must have such products as raw cotton, machinery, petroleum, and automobiles, and the United States is the chief source. Last year the United States raised 61 per cent of the raw cotton entering into international trade. The United States has 57 per cent of the machinery-producing capacity of the world. In 1929 the United States produced 1,006,000,000 barrels of petroleum, or over 67 per cent of the total world output of 1,489,000,000 barrels. The United States manufactured 5,358,000 automobiles in 1929, or more than 85 per cent of the total world output of 6,288,000 cars.

The following table shows the 13 chief commodities exported in 1929. Foreign countries are more or less dependent upon the United States for all of these with the possible exception of cotton manufactures.



Exports of leading commodities from the United States in 1929  
[In millions of dollars]

| Item                                    | Value   | Per cent of total |
|---|---------|-------------------|
| Cotton, raw.....                        | \$770.8 | 14.9              |
| Machinery.....                          | 612.7   | 11.9              |
| Petroleum, crude and refined.....       | 561.2   | 10.9              |
| Automobiles, parts and accessories..... | 539.3   | 10.5              |
| Iron and steel.....                     | 287.2   | 5.6               |
| Meat products.....                      | 202.8   | 3.9               |
| Wheat and flour.....                    | 192.3   | 3.7               |
| Copper and manufactures.....            | 183.4   | 3.6               |
| Lumber and manufactures.....            | 151.5   | 2.9               |
| Tobacco, unmanufactured.....            | 146.1   | 2.8               |
| Fruit and nuts.....                     | 137.5   | 2.7               |
| Cotton manufactures.....                | 135.1   | 2.6               |
| Coal and coke.....                      | 106.2   | 2.1               |
| Total, above.....                       | 4,026.1 | 78.1              |
| Total, all.....                         | 5,157.0 | 100.0             |

Needing such products, foreign countries would find the means of financing them, even though the new tariff presented a much greater obstacle than is the case. Whatever effect the tariff has in stimulating the foreign manufacture of such items as machinery and automobiles, it will be relatively small as compared with the stimulating effect which lower costs of production have had and will continue to have in making foreign countries less dependent upon American products.

The United States as an exporting nation has decidedly more to fear from the growing producing capacity of foreign countries than from the effect of the tariff. In this respect there seems to be some justification for a tariff. The United States in the long run is certain to meet more resistance in its export business. It would be unfortunate if the United States was forced to meet similar severe competition in its home market.

The long time required by Congress in revising the tariff has been blamed to a large extent for the present business slump. This was a negligible factor. The business slump was caused by far more fundamental factors. It would have occurred if there had been no tariff legislation. Now that the tariff is passed, it is held to be an obstacle to business recovery. The facts in regard to it provide little support to this contention. A tariff act, even though it may not represent in all respects a perfect contribution to the welfare of trade, is always a less unsettling factor than a tariff bill. A known national policy always produces a greater stability than is possible when the attitude of the Government is vacillating or unknown. Dependableness and certainty afford essential support to the life of trade. Finally, the adjustment clause which the new tariff act contains provides a safety valve in the case of necessity. The evident conclusion is that business men need have no fear that the tariff will postpone the inevitable revival of business in the near future or that it will prevent business from attaining eventually a new high-record peak.

PERMISSION TO ADDRESS THE HOUSE

Mr. ALMON. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes to-morrow after the reading of the Journal and the transaction of business on the Speaker's table.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

INVESTIGATION OF LAW ENFORCEMENT

Mr. PURNELL, by direction of the Committee on Rules, submitted the following resolution for printing in the RECORD:

House Resolution 286 (Rept. No. 2052)

*Resolved*, That it shall be in order, all rules of the House to the contrary notwithstanding, for the gentleman from Indiana, Mr. WOOD, to move to concur in Senate amendment No. 12 to the bill H. R. 12902 with the following amendment:

Strike out all the language of the Senate amendment and insert in lieu thereof the following:

"EXECUTIVE

"Investigation of enforcement of prohibition and other laws: For continuing the inquiry into the problem of the enforcement of the prohibition laws of the United States, together with enforcement of other laws, pursuant to the provisions therefor contained in the first deficiency act, fiscal year 1929, to be available for each and every object of expenditure connected with such purposes, notwithstanding the provisions of any other act, and to be expended under the authority and by the direction of the President of the United States, who shall report the results of such investigation to Congress, together with his recommendations with respect thereto, fiscal year 1931, \$250,000, together with the unexpended balance of the appropriation for these purposes contained in the first deficiency act, fiscal year 1929, which shall remain available until June 30, 1931.

The SPEAKER. Referred to the House Calendar.

REPORTS FROM THE COMMITTEE ON RULES AND CONFERENCE COMMITTEES

Mr. PURNELL, from the Committee on Rules, submitted the following resolution for printing in the RECORD:

House Resolution 287 (Rept. No. 2053)

*Resolved*, That after the adoption of this resolution it shall be in order to consider reports from the Committee on Rules whenever presented in accordance with the provision of clause 45 of Rule XI applicable during the last three days of a session.

*Resolved further*, That after the adoption of this resolution it shall be in order to consider reports of Committee of Conference whenever presented in accordance with the provision of clause 2 of Rule XXVIII applicable during the last six days preceding the end of a session.

The SPEAKER. Referred to the House Calendar.

UNITED STATES MASSACHUSETTS BAY COLONY TERCENTENARY COMMISSION

The SPEAKER. Under authority of public resolution No. 101, approved June 27, 1930, the Chair appoints as members of the United States Massachusetts Bay Colony Tercentenary Commission the following: Mr. BACON, Mr. CROWTHER, Mr. HALE, Mr. O'CONNOR of New York, and Mr. AUF DER HEIDE.

SENATE BILLS REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 182. An act for the relief of Daisy O. Davis; to the Committee on Claims.

S. 2643. An act to amend the joint resolution establishing the George Rogers Clark Sesquicentennial Commission, approved May 23, 1928; to the Committee on the Library.

S. 2980. An act to authorize and direct the Comptroller General to allow certain expenditures in the War Department; to the Committee on Military Affairs.

S. 3360. An act authorizing the Secretary of War to convey to the University of Oregon certain lands forming a part of the Coos Head River and Harbor Reservation; to the Committee on Military Affairs.

S. 4142. An act to fix the salary of the Governor of the Territory of Alaska; to the Committee on the Territories.

S. 4425. An act to amend section 284 of the Judicial Code of the United States; to the Committee on the Judiciary.

S. 4586. An act to authorize additional appropriations for the national arboretum; to the Committee on Agriculture.

S. J. Res. 193. Joint Resolution to change the name of the island of Porto Rico to Puerto Rico; to the Committee on Insular Affairs.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1159. An act for the relief of the Delaware & Hudson Co. of New York City;

H. R. 6127. An act to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to Philippine Islands;

H. R. 8438. An act for the relief of J. T. Bonner;

H. R. 10317. An act for the relief of Samuel S. Michaelson;

H. R. 10630. An act to authorize the President to consolidate and coordinate governmental activities affecting war veterans;

H. R. 10960. An act to amend the law relative to the citizenship and naturalization of married women, and for other purposes;

H. R. 11144. An act to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes;

H. R. 12602. An act to authorize an appropriation for construction at Carlisle Barracks, Pa.;

H. R. 12661. An act to authorize the acquisition of lands in Alameda and Marin Counties, Calif., and the construction of buildings and utilities thereon for military purposes;

H. J. Res. 372. Resolution authorizing the President of the United States to accept on behalf of the United States a conveyance of certain lands on Government Island from the city of Alameda, Calif., in consideration of the relinquishment by the United States of all its rights and interest under a lease of such island dated July 5, 1918;

H. J. Res. 388. Joint resolution making provision for continuation of construction of the United States Supreme Court Building; and

H. J. Res. 389. Joint resolution making appropriations for the pay of pages for the Senate and House of Representatives until the end of the second session of the Seventy-first Congress.



The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 215. An act to amend section 13 of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," as amended by the act of May 28, 1928;

S. 4663. An act granting the consent of Congress for the construction of a dike or dam across the head of Camas Slough (Washougal Slough) to Lady Island, on the Columbia River in the State of Washington; and

S. J. Res. 184. Joint resolution to declare July 5, 1930, a legal holiday in the District of Columbia.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 6. An act to amend the definition of oleomargarine contained in the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended;

H. R. 334. An act for the relief of Samuel Gettinger and Harry Pomerantz;

H. R. 495. An act for the relief of Katherine Frances Lamb and Elinor Frances Lamb;

H. R. 528. An act for the relief of Clarence C. Cadell;

H. R. 636. An act for the relief of certain persons of Schenley, Pa., who suffered damage to their property as a result of erosion of a dam on the Allegheny River;

H. R. 650. An act for the payment of damages to certain citizens of California and other owners of property damaged by the flood caused by reason of artificial obstructions to the natural flow of water being placed in the Picacho and No-name washes by an agency of the United States;

H. R. 730. An act to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended;

H. R. 794. An act for the relief of C. B. Smith;

H. R. 917. An act for the relief of John Panza and Rose Panza;

H. R. 919. An act for the relief of the father of Catharine Kearney;

H. R. 1159. An act for the relief of the Delaware & Hudson Co., of New York City;

H. R. 2170. An act for the relief of Clyde Cornish;

H. R. 2782. An act for the relief of Elizabeth B. Dayton;

H. R. 3889. An act for the relief of Albert A. Inman;

H. R. 3891. An act for the relief of Harry Martin;

H. R. 4161. An act for the relief of Isaac Fink;

H. R. 4176. An act for the relief of Dr. Charles W. Reed;

H. R. 4189. An act to add certain lands to the Boise National Forest; and

H. R. 4564. An act for the relief of E. J. Kerlee.

H. R. 5292. An act to authorize the city of Napa, Calif., to purchase certain public lands for the protection of its water supply;

H. R. 6113. An act for the relief of Gilbert Grocery Co., Lynchburg, Va.;

H. R. 6642. An act for the relief of John Magee;

H. R. 6694. An act for the relief of P. M. Nigro;

H. R. 7445. An act for the relief of J. W. Nix;

H. R. 8438. An act for the relief of J. T. Bonner;

H. R. 8612. An act for the relief of Ralph Rhees;

H. R. 8723. An act for the relief of Rachel Levy;

H. R. 9279. An act for the relief of Henry A. Knott & Co.;

H. R. 10317. An act for the relief of Samuel S. Michaelson;

H. R. 10532. An act for the relief of Frank M. Grover;

H. R. 10582. An act to provide for the addition of certain lands to the Lassen Volcanic National Park, in the State of California;

H. R. 10960. An act to amend the law relative to the citizenship and naturalization of married women, and for other purposes;

H. R. 11608. An act for the relief of Jerry Esposito;

H. R. 12233. An act authorizing the Robertson & Janin Co., of Montreal, Canada, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baude, Minn.;

H. R. 12235. An act to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes;

H. R. 12554. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River, at or near Knoxville, Tenn.;

H. R. 12614. An act granting the consent of Congress to the city of Aurora, Ill., to construct, maintain, and operate a free highway bridge from Stolps Island in the Fox River at Aurora, Ill., to connect with the existing highway bridge across the Fox River north of Stolps Island;

H. R. 12844. An act granting the consent of Congress to the State of Montana, the counties of Roosevelt, Richland, and McCone, or any of them, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Mont.;

H. R. 12919. An act granting the consent of Congress to the State of Montana or any political subdivisions or public agencies thereof, or any of them, to construct, maintain, and operate a free highway bridge across the Missouri River, southerly from the Fort Belknap Indian Reservation, at or near the point known and designated as the Power-site Crossing, or at or near the point known and designated as Wilder Ferry;

H. R. 12920. An act granting the consent of Congress to the State of Montana and the counties of Roosevelt and Richland, or any of them, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Culbertson, Mont.;

H. R. 12993. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Little Calumet River, at One hundred and fifty-ninth Street, in Cook County, State of Illinois.

#### ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until to-morrow, Wednesday, July 2, 1930, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, July 2, 1930, as reported to the floor leader by clerks of the several committees:

#### COMMITTEE ON TERRITORIES

(10.30 a. m.)

To fix the salary of the Governor of the Territory of Alaska (S. 4142).

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GUYER: Committee on Accounts. H. Res. 279. A resolution authorizing the payment of an allowance from the contingent fund of the House to the assistants in the office of the attending surgeon (Rept. No. 2048). Ordered to be printed.

Mr. LUCE: Committee on the Library. S. J. Res. 177. A joint resolution to provide for the erection of a monument to William Howard Taft at Manila, P. I.; without amendment (Rept. No. 2049). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. Res. 284. Directing the subcommittee of the Committee on the Judiciary to inquire further into the official conduct of Bascom S. Deaver, United States district judge for the middle district of Georgia.

Mr. PURNELL: Committee on Rules. H. Res. 286. A resolution making in order a motion to concur in Senate amendment 12 to H. R. 12902, the second deficiency bill, with an amendment; without amendment (Rept. No. 2052). Referred to the House Calendar.

Mr. PURNELL: Committee on Rules. H. Res. 287. A resolution making in order immediate consideration of reports from the Committee on Rules and committees of conference for the balance of the session; without amendment (Rept. No. 2053). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOUSTON of Hawaii: A bill (H. R. 13257) relative to the admission under the immigration laws of wives of American citizens; to the Committee on Immigration and Naturalization.

By Mr. LUCE: A bill (H. R. 13258) to create a commission for the erection of a national World War memorial; to the Committee on the Library.



By Mr. McCLINTIC of Oklahoma: A bill (H. R. 13259) authorizing an appropriation to reimburse the State of Oklahoma for money paid for the education of restricted Indian children in the public schools of the said State; to the Committee on Indian Affairs.

By Mr. SIMMONS: Resolution (H. Res. 285) providing for the appointment of a select committee to investigate various elements, factors, and conditions bearing upon the question of fiscal relations between the United States and the District of Columbia; to the Committee on Rules.

By Mr. CELLER: Resolution (H. Res. 283) to investigate the enforcement of the Volstead Act and the eighteenth amendment in the office of the New York prohibition administrator for the past three years; to the Committee on Rules.

By Mr. WIGGLESWORTH: Joint resolution (H. J. Res. 393) making an appropriation for the United States Massachusetts Bay Colony Tercentenary Commission; to the Committee on Appropriations.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRAND of Ohio: A bill (H. R. 13260) granting an increase of pension to Harriett E. Gardner; to the Committee on Invalid Pensions.

By Mr. BURDICK: A bill (H. R. 13261) granting a pension to George W. Olney; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 13262) to authorize the Secretary of the Navy to donate to the city of Oakland, Calif., certain guns and mounts that were formerly in service on the Coast Guard cutter *Bear*; to the Committee on Naval Affairs.

By Mr. CRAIL: A bill (H. R. 13263) granting a pension to Wesley B. Kingdon; to the Committee on Pensions.

By Mr. EATON of Colorado: A bill (H. R. 13264) granting a pension to Anna H. Alexander; to the Committee on Invalid Pensions.

By Mr. HALL of Indiana: A bill (H. R. 13265) granting a pension to Clara Hummel; to the Committee on Invalid Pensions.

By Mr. HARTLEY: A bill (H. R. 13266) for the relief of Thomas Henry McCormick; to the Committee on Naval Affairs. Also, a bill (H. R. 13267) for the relief of Philip Van Meelen; to the Committee on Naval Affairs.

Also, a bill (H. R. 13268) for the relief of Robert C. Lehr; to the Committee on Military Affairs.

Also, a bill (H. R. 13269) for the relief of Edward Van Dwyne; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 13270) granting a pension to A. A. Shaw; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 13271) granting a pension to Anne Selby; to the Committee on Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 13272) for the relief of Matt Burgess; to the Committee on Claims.

By Mr. WELSH of Pennsylvania: A bill (H. R. 13273) granting a pension to Joseph A. Dally; to the Committee on Pensions.

By Mr. YON: A bill (H. R. 13274) granting a pension to Georgia J. Jackson; to the Committee on Pensions.

#### SENATE

WEDNESDAY, July 2, 1930

Rev. James W. Morris, D. D., assistant rector Church of the Epiphany, city of Washington, offered the following prayer:

Merciful God and Heavenly Father, with grateful hearts we acknowledge before Thee that Thy good hand has been over us in all our ways, and we humbly confess to Thee that we are not able to do anything wise and good without Thee.

We, therefore, pray Thee, O Lord our God, to preside continually in the councils of our Nation, so that under the direction and illumination of Thy gracious spirit such decisions may be made as shall redound to Thy praise and to the welfare and happiness of our people and of the world.

We ask it all in the name of Jesus Christ, Thy Son, our Lord. Amen.

#### THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday last, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum. The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

|           |              |                |               |
|-----------|--------------|----------------|---------------|
| Allen     | Fess         | McCulloch      | Shortridge    |
| Ashurst   | George       | McKellar       | Steck         |
| Barkley   | Glass        | McNary         | Steiwer       |
| Bingham   | Glenn        | Metcalf        | Stephens      |
| Black     | Goldsborough | Moses          | Sullivan      |
| Blaine    | Hale         | Norris         | Swanson       |
| Borah     | Harris       | Nye            | Thomas, Idaho |
| Brock     | Harrison     | Oddie          | Thomas, Okla. |
| Broussard | Hastings     | Patterson      | Townsend      |
| Capper    | Hatfield     | Phipps         | Trammell      |
| Caraway   | Hayden       | Pine           | Tydings       |
| Connally  | Hebert       | Ransdell       | Vandenberg    |
| Copeland  | Howell       | Reed           | Wagner        |
| Couzens   | Johnson      | Robinson, Ind. | Walcott       |
| Cutting   | Jones        | Robson, Ky.    | Walsh, Mass.  |
| Dale      | Kendrick     | Sheppard       | Walsh, Mont.  |
| Deneen    | La Follette  | Shipstead      | Watson        |

Mr. SHEPPARD. The Senator from Florida [Mr. FLETCHER], the senior Senator from South Carolina [Mr. SMITH], the Senator from Utah [Mr. KING], and the Senator from Missouri [Mr. HAWES] are necessarily detained from the Senate by illness.

The junior Senator from South Carolina [Mr. BLEASE] and the senior Senator from New Mexico [Mr. BRATTON] are necessarily detained from the Senate by reason of illness in their families. Also, the junior Senator from Washington [Mr. DILL] is absent attending the sessions in Chicago of the special committee to investigate campaign expenditures.

Mr. SHIPSTEAD. I desire to announce the unavoidable absence of my colleague the junior Senator from Minnesota [Mr. SCHALL]. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-eight Senators have answered to their names. A quorum is present.

COMMISSION TO PROMOTE PEACE, TO EQUALIZE THE BURDENS, AND TO MINIMIZE THE PROFITS OF WAR

The VICE PRESIDENT, under the terms of the joint resolution (H. J. Res. 251) to promote peace and to equalize the burdens and to minimize the profits of war, appointed the Senator from Pennsylvania [Mr. REED], the Senator from Michigan [Mr. VANDENBERG], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Virginia [Mr. SWANSON] as members of the commission therein established on the part of the Senate.

#### INVESTIGATION RELATIVE TO THE ALASKA RAILROAD

The VICE PRESIDENT, under the terms of the resolution (S. Res. 298) authorizing an investigation of the operations, economic situation, and prospects of the Alaska Railroad, appointed the Senator from Nebraska [Mr. HOWELL], the Senator from Idaho [Mr. THOMAS], and the Senator from Wyoming [Mr. KENDRICK] as members of the special select committee.

#### ANNIVERSARY OF FOUNDING OF THE MASSACHUSETTS BAY COLONY

The VICE PRESIDENT, under the terms of the joint resolution (H. J. Res. 306) establishing a commission for the participation of the United States in the observance of the three hundredth anniversary of the founding of the Massachusetts Bay Colony, authorizing an appropriation to be utilized in connection with such observance, and for other purposes, appointed the senior Senator from Massachusetts [Mr. GILLET], the Senator from New Hampshire [Mr. KEXES], the Senator from Rhode Island [Mr. METCALF], the junior Senator from Massachusetts [Mr. WALSH], and the Senator from New York [Mr. COPELAND] as members on the part of the Senate of the United States Massachusetts Bay Colony Tercentenary Commission.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the bill (S. 3061) to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913.

The message also announced that the House had passed the bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 11204) to establish the United States border patrol, to regulate the entry of persons into the United States, and for other purposes, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 4683. An act to authorize the sale of all of the right, title, interest, and estate of the United States of America in and to certain lands in the State of Michigan; and